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**HISTORY, DEBATES,**  
**AND**  
**P R O C E E D I N G S**  
**OF BOTH**  
**HOUSES OF PARLIAMENT**  
**OF**  
***G R E A T   B R I T A I N .***





Gt. Brit. Parliament

THE  
HISTORY, DEBATES,  
AND  
PROCEEDINGS  
OF BOTH  
HOUSES OF PARLIAMENT  
OF  
GREAT BRITAIN,

FROM THE YEAR 1743 TO THE YEAR 1774.

CONTAINING THE MOST INTERESTING

MOTIONS,		REPORTS,		PROTESTS,
SPEECHES,		PETITIONS,		AND
RESOLUTIONS,		EVIDENCE,		PAPERS,
LAID BEFORE EITHER HOUSE.				

TOGETHER WITH

THE SUPPLIES AND WAYS AND MEANS  
OF EACH SESSION.

ALSO

LISTS OF EACH PARLIAMENT, AND OF THE DIVISIONS UPON  
THE MOST IMPORTANT QUESTIONS.

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IN SEVEN VOLUMES.

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V O L. VII.

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L O N D O N :

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CORNWALL,

effect, that effect we greatly apprehend may not continue longer than whilst the sword is held up. To render the Colonies permanently advantageous, they must be satisfied with their condition. That satisfaction we see no chance of restoring, whatever measures may be pursued, except by recuring in the whole to the wise and salutary principles on which the Stamp Act was repealed.

<i>Richmond,</i>	<i>Rockingham,</i>
<i>Portland,</i>	<i>Abergavenny,</i>
<i>Abingdon,</i>	<i>Leinster,</i>
<i>King,</i>	<i>Craven,</i>
<i>Effingham,</i>	<i>Fitzwilliam.</i>
<i>Ponsonby,</i>	

On the 18th of May there was a debate on the third reading of the Bill for securing the military from a trial in America for murders charged to be committed in support of Government.

The debate was opened by the EARL OF BUCKINGHAMSHIRE, who confessed this to be the most exceptionable of the American measures, but thought it was excused by necessity. Earl of  
Buckinghamshire.

He was answered by Lord Shelburne, who spoke with great ability, spirit, and knowledge of the subject.

The Lords Denbigh, Sandwich, and the Chancellor, were the chief supporters of the Bill. The Duke of Manchester spoke with that grace of manner and elegance of language which so peculiarly distinguish him.

THE MARQUIS OF ROCKINGHAM spoke late in the debate. Marquis of  
Rockingham. His speech lasted near three quarters of an hour; never was more attention given to a speaker on any occasion. He spoke with all the weight and authority of an able statesman, and all the feeling of a patriot, deeply concerned for the interest of his country. He entered fully into the civil policy which had originally given rise to the disturbances in America, and in consequence produced bills and regulations so ill calculated to allay them. He took post upon the measure of his own Administration, the repeal of the Stamp Act, on which he argued with great force. He insisted that repeal to be no more than a return to the ancient policy of Great Britain, from which the tax had been a deviation. He then stated the new taxes laid on after his removal from office, as originating from no plan of policy whatsoever, but merely as the result of pique and passion; that they were in effect confessed to be so, because they were afterwards repealed for the greater part, as being laid by the avowal of Administration itself, in contradiction to all the principles of commerce.

That the Tea-duty, equally uncommercial and unproductive, was left as a pepper-corn, merely for the sake of contest with America, as the Ministry had likewise avowed. He censured very severely the doctrine of taxing for the sole purpose of exercising an invidious right, and that taxes ought to be for the real purpose of supporting Government, and not purely to irritate and stir up dangerous questions. That the Stamp Act was a great object, and might have produced in time considerable revenues; but to risque the whole trade of England, and the affections of the Americans, in a quarrel with the Colonies for pepper-corns, he thought a very unwise proceeding.

After this he entered into the particulars of the Bill, and, among other things, in answer to the difficulties asserted to be laid on officers without such protection as was given by this Bill, he said that he thought the condition of men of honor and sensibility to be far worse under this Bill; for that no acquittal could be honorable, where the prosecutor had not the usual means of securing a fair trial. He concluded by a very emphatical recommendation of temper, as necessary in all things, but particularly in measures of this nature, and in subjects of so much delicacy: his own remarkable calmness and steadiness of mind, gave additional force to this part of his speech.

The Duke of Richmond spoke last in the debate, and with his usual spirit, pointed his answer chiefly to what fell from the Chancellor and Lord Sandwich: he concluded with recommending to the perusal of the House, a pamphlet, called *Considerations on the Measures carrying on against America*, and the Bishop of St. Asaph's Sermon, preached 1773, before the Society for propagating the Gospel, as containing the soundest doctrines and the best policy.

The Bill passed.

Lord  
Chatham.

On the third reading of the Bill for quartering troops in America, which was on the 27th of May, LORD CHATHAM attended and spoke against the Bill.

He began by apologizing for the ill state of health under which he had long laboured, but that misfortune, great as it is, said he, could not prevent me from laying before your Lordships my thoughts on the Bill now upon the table; and on the American affairs in general.

If we take a transient view of those motives which induced the ancestors of our fellow-subjects in America, to leave their native country to encounter the innumerable difficulties of the unexplored regions of the western world, our astonishment at the present conduct of their descendants will naturally subside. There was no corner of the world into which men of their free and enterprising spirit would not fly with alacrity, rather than  
submit



submit to the slavish and tyrannical principles which prevailed at that period in their native country. And we shall wonder, my Lords, if the descendants of such illustrious characters spurn, with contempt, the hand of unconstitutional power, that would snatch from them such dear bought privileges as they now contend for. Had the British Colonies been planted by any other kingdom than our own, the inhabitants would have carried with them the chains of slavery, and spirit of despotism; but as they are, they ought to be remembered as great instances to instruct the world what great exertions mankind will naturally make, when they are left to the free exercise of their own powers. And, my Lords, notwithstanding my intention to give my hearty negative to the question now before you, I cannot help condemning, in the severest manner, the late turbulent and unwarrantable conduct of the Americans in some instances, particularly in the late riots at Boston. But, my Lords, the mode which has been pursued to bring them back to a sense of their duty to the parent State, has been so diametrically opposite to the fundamental principles of sound policy, that individuals, possessed of common understanding, must be astonished at such proceedings. By blocking up the harbour of Boston, you have involved the innocent trader in the same punishment with the guilty profligates who destroyed your merchandize; and instead of making a well-concerted effort to secure the real offenders, you clap a naval and military extinguisher over their harbour: and punish the sins of a few lawless repearees and their abettors, upon the whole body of the inhabitants.

My Lords, this country is little obliged to the framers and promoters of this Tea-tax; the Americans had almost forgot, in their excess of gratitude for the repeal of the Stamp Act, any interest but that of the Mother Country; there seemed an emulation among the different provinces, who should be most dutiful and forward in their expressions of loyalty to their royal benefactor: as you will readily perceive by the following extract of a letter from Governor Bernard to a noble Lord then in office.

“The House of Representatives (says he), from the time of opening the session to this day, has shewn a disposition to avoid all dispute with me; every thing having passed with as much good humour as I could desire. They have acted, in all things, with temper and moderation; they have avoided some subjects of dispute, and have laid a foundation for removing some causes of former altercation.”

This, my Lords, was the temper of the Americans: and would have continued so, had it not been interrupted by your

fruitless endeavours to tax them without their consent; but the moment they perceived your intention was renewed to tax them, under a pretence of serving the East India Company, their resentment got the ascendant of their moderation, and hurried them into actions contrary to law, which, in their cooler hours, they would have thought on with horror; for I sincerely believe, the destroying of the tea was the effect of despair.

But, my Lords, from the complexion of the whole of the proceedings, I think that Administration has purposely irritated them into those late violent acts for which they now so severely smart: purposely to be revenged on them for the victory they gained by the repeal of the Stamp Act, a measure to which they seemingly acquiesced, but at the bottom they were its real enemies. For what other motive could induce them to dress taxation, that father of American sedition, in the robes of an East India Director, but to break in upon that mutual peace and harmony which then so happily subsisted between them and the Mother Country?

My Lords, I am an old man, and would advise the noble Lords now in office, to adopt a more gentle mode of governing America; for the day is not far distant, when America may vie with these kingdoms, not only in arms, but in arts also. It is an established fact, that the principal towns in America are learned and polite, and understand the constitution of the empire, as well as the noble Lords who are now in office; and consequently, they will have a watchful eye over their liberties, to prevent the least encroachment on their hereditary rights.

This observation is so recently exemplified in an excellent pamphlet which comes from the pen of an American gentleman, that I shall take the liberty of reading to your Lordships his thoughts on the competency of the British Parliament to tax America; which, in my opinion, puts this interesting matter in the clearest point of view.

“ The High Court of Parliament (says he) is the supreme legislative power over the whole empire; in all free States the Constitution is fixed; and as the supreme Legislature derives its power and authority from the Constitution, it cannot overleap the bounds of it without destroying its own foundation; or the Constitution ascertains and limits both sovereignty and allegiance: and therefore, his Majesty’s American subjects, who acknowledge themselves bound by the ties of allegiance, have an equitable claim to the full enjoyment of the fundamental rules of the English Constitution; and that it is an essential, unalterable right in nature, ingrafted into the British Constitution as a fundamental law, and ever held sacred and  
irrevocable

irrevocable by the subjects within the realm; and that what a man has honestly acquired, is absolutely his own; which he may freely give, but which cannot be taken from him without his consent."

This, my Lords, though no new doctrine, has always been my received and unalterable opinion; and I will carry it to my grave, 'That this country had no right, under Heaven, to tax America.' It is contrary to all the principles of justice and civil policy, which neither the exigencies of the state, or even the acquiescence in the taxes, could justify upon any occasion whatever. Such proceedings will never meet with their wished-for success; and, instead of adding to their miseries, as the Bill now before you most undoubtedly does, adopt some lenient measures, which may lure them to their duty; proceed like a kind and affectionate parent over a child whom he tenderly loves; and, instead of those harsh and severe proceedings, pass an amnesty on all their youthful errors; clasp them once more in your fond and affectionate arms; and I will venture to affirm, you will find them children worthy of their fire. But should their turbulence exist after your proffered terms of forgiveness, which I hope and expect this House will immediately adopt, I will be among the foremost of this Assembly to move for such measures as will effectually prevent a future relapse, and make them feel what it is to provoke a fond and forgiving parent! a parent, my Lords, whose welfare has ever been my greatest and most pleasing consolation. This declaration may seem unnecessary, but I will venture to declare, the period is not far distant, when she will want the assistance of her most distant friends; but should the all-disposing hand of Providence prevent me from affording her my poor assistance, my prayers shall be for ever for her welfare. "Length of days be in her right hand, and in her left, riches and honor; may her ways be ways of pleasantness, and all her paths be peace."

The bill passed.

On the third reading of the Quebec Bill, which was on the 17th of June, LORD CHATHAM again attended the House, Lord Chat-  
ham. and spoke against the Bill.

He said it would involve a large province in a thousand difficulties, and in the worst of despotism, and put the whole people under arbitrary power; that it was a most cruel, oppressive, and odious measure, tearing up justice and every good principle by the roots; that, by abolishing the trial by jury, he supposed the framers of the bill thought that mode of proceeding, together with the *habeas corpus*, were incongruous, whilst every true Englishman was ready to lay down his life sooner than

than lose those two bulwarks of his personal security and propriety. The merely supposing that the Canadians would not be able to feel the good effects of law and freedom, because they had been used to arbitrary power, was an idea as ridiculous as false. He said the Bill established a despotic government in that country, to which the Royal Proclamation of 1763 promised the protection of the English laws: here the noble Lord read part of the Proclamation, and then entered into the power vested in the Governor and Council, the whole mode of which, he said, was tyrannical and despotick: he was particular on the bad consequences that would attend the great extension of that province; that the whole of the Bill appeared to him to be destructive of that liberty which ought to be the ground-work of every Constitution: ten thousand objections, he was confident, might be made to the Bill, but the extinction of the mode of trial above-mentioned, was a very alarming circumstance, and he would pronounce him a bold man who proposed such a plan. When his Lordship came to the religious part of the Bill, he directed his discourse to the Bench of Bishops, telling them, that as by the Bill the Catholick religion was made the established religion of that vast continent, it was impossible they could be silent on the occasion. He called the Bill a child of inordinate power, and desired and asked if any of that Reverend Bench would hold it out for baptism. He touched again upon the unlimited power of the Governor, in appointing all the Members, and who might consist of Roman Catholicks only.

His Lordship then took notice of an amendment which had been made in the House of Commons, which was a new clause, repealing so much of the Act of Reformation, of the 1st of Elizabeth, as relates to the oath of supremacy, and substituting a common oath of allegiance in its place.

This Act of Elizabeth, he said, had always been looked upon as one, that the Legislature had no more right to repeal, than they had the Great Charter, or the Bill of Rights. But in this he was greatly mistaken; for though several of the Rev. Bench were present, not one of them made the smallest objection to the clause;—they all divided with the Ministry.

Lord Dartmouth spoke a few words in reply to Lord Chatham.

Lord Lyttelton also spoke a few words in defence of Administration.

After which the House divided. For the Bill, 26. Against it, 7.

The following Lords were the Minority: The Duke of Gloucester, the Earls Chatham, Coventry, Effingham, and Spencer, the Lords Sandys and King.

The

The session was closed on the 22d day of June, by the King, with the following Speech :

*My LORDS and GENTLEMEN,*

**I** HAVE observed with the utmost satisfaction, the many eminent proofs you have given of your zealous and prudent attention to the publick service, during the course of this very interesting session of Parliament.

The necessity of providing some effectual remedy for the great and manifold mischiefs, both publick and private, arising from the impaired state of the Gold Coin, induced me, at the opening of the session, to recommend that important object to your consideration : in the several measures you have taken for the redress of those evils, you have sufficiently manifested as well your regard to the general credit and commercial interests of the kingdom, as to the immediate ease and accommodation of my people.

The very peculiar circumstances of embarrassment in which the province of Quebec was involved, had rendered the proper adjustment, and regulation of the government thereof, a matter of no small difficulty. The bill which you prepared for that purpose, and to which I have now given my assent, is founded on the clearest principles of justice and humanity; and will, I doubt not, have the best effects in quieting the minds; and promoting the happiness, of my Canadian subjects.

I have long seen, with concern, a dangerous spirit of resistance to my government, and to the execution of the laws, prevailing in the province of Massachusetts Bay, in New England. It proceeded at length to such an extremity, as to render your immediate interposition indispensably necessary; and you have accordingly made provision, as well for the suppression of the present disorders, as for the prevention of the like in future. The temper and firmness with which you have conducted yourselves in this important business, and the general concurrence with which the resolution of maintaining the authority of the laws in every part of my dominions hath been adopted and supported, cannot fail of giving the greatest weight to the measures which have been the result of your deliberations. Nothing that depends on me shall be wanting to render them effectual. It is my most anxious desire to see my deluded subjects, in that part of the world, returning to a sense of their duty, acquiescing in that just subordination to the authority, and maintaining that due regard to the commercial interests of this country, which must ever be inseparably connected with their own real prosperity and advantage.

Nothing material has happened, since your meeting, with respect to the war between Russia and the Porte; and it is with pleasure I can inform you, that the very friendly assurances which I continue to receive from the neighbouring powers, give me the strongest reason to believe



*believe that they have the same good dispositions as myself, to preserve the tranquillity of the rest of Europe.*

GENTLEMEN of the HOUSE of COMMONS,

*I thank you for the supplies which you have so cheerfully given, and I see with great satisfaction, that, notwithstanding the ample grants you have made for the several establishments, and the compensation which has been so properly provided for the holders of the deficient Gold Coin, you have been able to make a further progress in the reduction of the National Debt.*

My LORDS and GENTLEMEN,

*I have nothing to recommend to you, but that you would carry into your respective counties the same affectionate attachment to my person and government, and the same zeal for the maintenance of the publick welfare, which have distinguished all your proceedings in this session of Parliament.*

The following Lifts were handed about at this time.

PEERS who Vote in Support of the present Court Measures.

Ancaster	a place	Ducie	place	Hertford	place
Argyll	place	Dudley		Jersey	place
Ashburnham	place	Edgecombe	place	Ilchester	place
Aylesford		Egmont		Leeds	penfion
Bathurst	place	Egremont		Le Despencer	place
Beaufort	place	Essex	place	Lyttelton	
Bolingbroke	place	Exeter		Macclesfield	
Bolton	place	Falmouth	place	Mansfield	place
Bridgewater		Fauconberg		Marlborough	
Bristol	place	Ferrers (Earl)	place	Matham	place
Bruce	place	Gainfborough		Maynard	
Buccleugh		Godolphin	place	Middleton	
Bucks	place	Gower	place	Montagu	place
Cadogan	place	Grafton	place	Montagu (Viscount)	
Carlisle	place	Grantham	place	Montfort	
Castlehaven		Guildford	place	Montrose	
Chandos		Harborough		Newcastle	place
Cornwallis	place	Harcourt	place	Northington	place
Darlington	place	Hardwicke	place	Orford	place
Darnely		Harrington	place	Oxford	place
Dartmouth	place	Hillborough	place	Paget	
Delawar	place	Holderneffe	place	Pelham	place
Denbigh	place	Huntingdon	place	Pembroke	place
Digby		Hyde	place	Peterborough	penf.
Dorset		Hereford		Pomfret	place
				Portsmouth	

A. 1774.

# D E B A T E S.

27

Portsmouth		Scarfdale		Vernon	
Poulett		Stormont		Waldegrave	place
Rochford	place	Suffolk	place	Warwick	
Roxburgh	place	Suffex		Wentworth	
St. Alban's	place	Talbot	place	Weymouth	
St. John		Thanet		Willoughby	
Sandwich	place	Townshend	place	Willoughby de B.	
Sandys		Trevor		Winchelsea	
Say and Sele		Vere			

## S C O T C H P E E R S.

Aberdeen		Dalhousie		Marchmont	place
Abercorn		Galloway	place	Roseberry	
Breadalbane		Gordon		Stormont	place
Bute		Irwin		Strathmore	
Cathcart	place	Loudon	place		
Caffilis		March	place		

## B I S H O P S.

Bangor	Ely	Peterborough
Bath	Hereford	Rocheſter
Bristol	Landaff	St. David's
Canterbury	Lincoln	Salisbury
Carlisle	Litchfield	Wincheſter
Cheſter	London	Worceſter
Chicheſter	Norwich	York
Durham	Oxford	

From the preceding liſt it appears, that upwards of SIXTY Lords have PLACES; the ſalaries of which may be ſuppoſed, upon an average, to be two thouſand five hundred pounds *per annum* each; which is certainly under their real value; that is above one hundred and fifty thouſand pounds *per annum* for the whole. To them muſt be added, the other Scotch Lords, and the Biſhops; ſeveral who have penſions, &c. ſome who have douceurs privately; and ſeveral who are under obligations for favours conferred on their relations, &c. all which are, without doubt, very much under-rated at eighty thouſand pounds *per annum* more. This ſketch is ſufficient to ſhew, that at leaſt two hundred and thirty thouſand pounds of the nation's money is, every year, given among the Members of the Houſe of Lords.

PEERS who do not attend, are abroad, under age, or Roman Catholicks.

Albemarle	Arundel	Bedford
Berkeley	Hamilton	Petre
Byron	Harcourt	Powys
Chedworth	Holland	Queensbury
Chesterfield	Kinnoul	Salisbury
Clifford	Langdale	Shaftesbury
Cowper	Leigh	Shrewsbury
Derby	Litchfield	Somerfet
Dormer	Monfon	Stourton
Gloucester (Bishop)	Norfolk	Teynham
Grantham	Northampton	Westmorland
Grenville	Onflow	

PEERS who Vote in opposition to the present Court Measures.

Abergavenny	Devonshire	Rockingham
Abingdon	Effingham	Romney
Archer	Ferrers (Lord)	Rutland
Beaulieu	Fitzwilliam	Ravensthorpe
Belborough	Fortescue	Scarborough
Bolton	Gloucester	Shelburne
Camden	Grosvenor	Sondes
Chatham	King	Spencer
Cholmondeley	Leinster	Stamford
Corke	Manchester	Stanhope
Coventry	Milton	Strafford
Courtenay	Northumberland	Tankerville
Craven	Plymouth	Temple
Cumberland	Portland	Torrington
Dacre	Radnor	Walpole
Darley	Richmond	

# SCOTCH PEER,

Stair

# BISHOPS.

St. Asaph

Exeter

T H E  
HISTORY AND PROCEEDINGS  
OF THE  
HOUSE OF COMMONS,  
WITH THE  
DEBATES THEREIN,  
DURING THE  
SEVENTH SESSION of the THIRTEENTH PARLIAMENT  
OF  
G R E A T   B R I T A I N .

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**O**N the 13th of January 1774, the King opened the session with a Speech, which the Reader will find at the beginning of the Lords Debates of this session.

An Address was moved by Lord Guernsey, and seconded by the Honorable Mr. St. John. There was no debate. The Address was as follows :

“ MOST GRACIOUS SOVEREIGN,

“ WE, your Majesty's most dutiful and loyal subjects, the Commons of Great Britain, in Parliament assembled, return your Majesty our most humble thanks for your Majesty's most gracious Speech from the throne.

“ Permit us, Sir, to assure your Majesty, that we sincerely regret that the peace so long expected, and so much desired, is not yet effected between Russia and the Porte; but, at the same time, we beg leave to express the satisfaction we feel, in  
D 2 learning

learning that other foreign powers continue still to have the same pacifick dispositions with your Majesty: we acknowledge, with the utmost gratitude, the assurance which your Majesty has been pleased to repeat to us, that you have no other wish than to see the general tranquillity restored and preserved, consistently with the honor of your Crown, and the interests of your People; and we consider this gracious declaration of your Majesty as a fresh instance of your Majesty's paternal care for the welfare of your subjects, and of your generous concern for the happiness of mankind.

" We are truly sensible that it is our duty, as it shall be our care, to employ the leisure which the state of foreign affairs allows us, in attending to our internal and domestick situation: and we cannot but acknowledge your Majesty's great wisdom, in recommending and pointing out to our serious consideration the state of the gold coin of this kingdom, as well on account of its very extensive importance, as of the peculiar advantages which the present time affords, for conducting and executing with success any measures touching this great national object: we saw, with the deepest concern, the difficulties and distress in which the nation was on the point of being involved, by the very alarming degree of diminution which this coin has actually suffered, before the evil was checked by the regulations made in the last session of Parliament; and we beg leave to assure your Majesty, that, impressed with a just sense of our duty to our country and our fellow-subjects, we will exert our best endeavours to accomplish the great work of putting the gold coin upon such a footing as may not only completely remove the present grievance, but, as far as the nature of the case will admit, render the credit and commerce of the kingdom secure from being again exposed to the like danger.

" Your faithful Commons will, with the utmost cheerfulness, grant to your Majesty such supplies as shall be found necessary in the present situation of affairs: and your Majesty may be assured, that, animated by your recommendation, and excited by your example, we will apply ourselves with the utmost zeal and diligence to promote the welfare of our country; and that we will not fail to direct our attention to such parts of the publick service as appear to us most important; having a perfect confidence that, whatever measures we may propose, that will serve either to secure or advance the happiness and prosperity of your people, will always meet with your Majesty's gracious approbation and concurrence."

## The KING's Answer.

GENTLEMEN,

**I** THANK you for this very loyal and dutiful Address. I see, with the highest satisfaction, the continuance of your affection to me, and of your zeal for the publick service. You may be assured that it is the invariable object and the constant care of my life to promote the happiness, and to deserve the confidence, of my people.

January 21. The first day of publick business. The House in Committee,

Mr. BULLER moved, "That it is the opinion of this Com- Mr. Buller.  
mittee, that 20,000 seamen, including 4354 marines, will be necessary for the service of the present year." He said he was sorry to ask for so large a supply this year; but it might be depended upon, that next year the demand would be lessened, as the fleet now in the East Indies, consisting of six ships of the line, would be home by Christmas next, and be discharged; we should, therefore, not want so large a number of seamen, and consequently a smaller supply would do.

Mr. SAWBRIDGE said, that the Minister every year told Mr. Saw-  
bridge.  
us, that the demands of the next year would be much smaller; but he did not see that we could put any dependance in what he said, for the supply asked for this year, was the same as the last, and double what any former peace required; that when we were last year driving every thing before us, and had become the terror of the whole world, we made a disadvantageous peace, and the reasons alledged for it were, that we were not able to bear the expence of a war, yet we had ever since maintained that disgraceful peace with a war establishment, and therefore he should not give his assent to so large a demand.

LORD NORTH said, that though the Honorable Gentle- Lord North.  
man had said no dependance was to be put in what he said, yet he would venture to affirm, that no man had the interest of his country more at heart than himself; that it was not his desire to maintain 20,000 if 10,000 would do; that he was very averse to ask for large supplies, but we could not regulate our expences by any former peace; that the fleet which we kept in the East Indies was a chief reason for our annual demand being so great, as provisions were much dearer there than any where else; but there was a great difference between our establishment now and in time of war; that at the conclusion of the last war 16,000 seamen were thought necessary to be the peace establishment; that the alarm in 1771 has occasioned us to add 4000 more; but he was in hopes the fleet from the East Indies would be home by Christmas, when 3000 seamen would be discharged;

charged; and he made no doubt but 17,000 would be sufficient for the next year; that at the time of the alarm in 1771, our fleet was found to be in a ruinous state, and very little timber in our dock-yards; but now he flattered himself the navy was on a respectable footing, and by Christmas next there would be three years stock of timber in each dock-yard; that we should now have only to keep up the stock, which would not require so large a sum annually as the last three years.

Mr.  
Dowdeswell.

Mr. DOWDESWELL said, that he hoped not to be considered as an enemy to the navy, if he agreed with Mr. Sawbridge in thinking the establishment too much for a profound peace; and as his Majesty has assured us that other powers were very pacifick, and it should be his aim to preserve a general tranquillity, he saw no reason why the establishment should be more now than at the conclusion of the war; but the noble Lord had told us, that a large sum of money had been expended to repair the navy, which was in a terrible condition in 1771; that he should be glad to be informed how the supplies from 1763 to 1771 had been expended, that the navy was suffered to rot; that either the Minister had not demanded sufficient, or misapplied what was granted.

Lord North.

LORD NORTH said, that he was in Administration but three years out of eight, and therefore was not obliged to answer for the conduct of others; yet he would be bold to say, that the hurry in which ships were built at the conclusion of the last war, when we could not get dry timber, had been the means of their rotting in seven years, when they ought to have lasted fifteen years; that at the alarm in 1771, when we were so scarce of timber, we had been obliged to contract with the merchants for several ships, all of which would be launched this year, and then our own docks would be able to supply us; that the money which had been expended on the navy was not merely to repair, but to restore it.

Mr. Pulteney.

Mr. PULTENEY said, he hoped that the 3000 seamen would be discharged from the 17,000, and that next year 14,000 would be thought sufficient.

Mr. Dempster seconded his motion, and said he should not give his assent to 20,000.

Lord North replied, that if we were able to reduce the present number to 17,000, it would be as much as could be expected.

Mr. T.  
Townshend

Mr. T. TOWNSHEND said, that it might be thought trifling in him to contend for a single thousand, but he should be glad to be informed, by some gentleman of the navy, why 17,000 should be kept up, when 16,000 were thought sufficient;

ent; and if we put any confidence in what his Majesty had said, we could not imagine ourselves in any danger from foreign powers.

Mr. DOWDESWELL said, that business called him in the country before last sessions ended, but he was astonished in reading his Majesty's Speech, to find, "I am glad to find you have in some measure been able to reduce the national debt;" said, that he knew of no fund that had been paid off, nor any navy bills discharged; the only thing was 1,800,000*l.* Exchequer bills paid off, and he understood 1,800,000 more borrowed; that we paid more land-tax than in any former peace, yet it did not clear above two millions free from deductions, which sum was annually expended on the navy; that, should the flame of war break out, we had no money, and our credit was lower than ever, as appeared by the publick funds; for Three per Cents. in Mr. Grenville's time were 97, and now they were but 86; so that any expence that could be saved, was highly necessary.

LORD NORTH replied, that he agreed with the Honorable Gentleman, that any saving that could be made was necessary; that the demands hitherto had been so great, that he asked them with reluctance; that it was true no part of the publick funds had been discharged; but the Honorable Gentleman was wrong in his account of Exchequer bills, as 1,800,000*l.* had been paid off, and only a million borrowed, which made a difference of 800,000*l.* 300,000*l.* of which had been applied to the use of the navy, and the other 500,000*l.* to the discharge of the national debt, which, in his humble opinion, was sufficient to justify that part in his Majesty's Speech which had been read. That, in answer to Mr. Townshend, why 17,000 men should be maintained when 16,000 were enough, he hoped the following reasons would be thought sufficient; that, during the Turkish war, the merchants trading there had desired to have two frigates to protect them, one of which had been recalled; but affairs were in so deplorable a state there, that he verily believed it must be sent back again; that the year before last we were obliged to send two sloops to Falkland's Island, but he had endeavoured to lessen the expence by recalling one; that the fleet which had been obliged to be kept in the East Indies, were all extra services, which required more strength than was foreseen at the conclusion of the war; but though the Honorable Gentleman (Mr. Dowdeswell) had said we were in a deplorable condition to go to war; he would take upon him to say that we never had so respectable a fleet as at present; for we had now seventy ships of the line in good repair, and twelve more would be launched in the course of the year,



year, which would make the number eighty-two; a fleet which no other nation could boast of; but, perhaps, some gentlemen would say it was far too great; yet he would venture to affirm, that should a war break out, we should have occasion for our utmost force, as we should have to combat France and Spain.

Mr. Buller's motion was agreed to.

Adjourned to the 24th.

**Mr. T. Townshend** January 24. **Mr. T. TOWNSHEND** desired to know in what manner the additional thousand men, more than the peace establishment, were to be employed, supposing the 3400 men in Admiral Harland's fleet should be discharged on their return from India.

**Mr. Buller.** **Mr. BULLER** said, he had a paper in his hand which contained the disposition of the whole, but the remaining six hundred seemed chiefly to be disposed of among the guardships.

**Lord North.** **LORD NORTH** got up, and said he made no doubt that, upon the return of the India fleet, matters might be so settled, as next year 16,000 men would be sufficient; and if it could be done with safety to the nation, no man should be more ready than himself to do it; but he thought the stronger our navy was this year, the less occasion we should have to strengthen it the next, as it would give a broad hint to other maritime powers of our strength, and they would not be so ready to annoy us.

**Mr. Greaves** moved for leave to bring in a bill to prevent frivolous and vexatious removals of paupers, till they actually become chargeable. A small debate ensued.

**Mr. Dowdeswell** and **Sir George Saville** supported the motion, and were opposed by **Sir Thomas Clavering** and **Mr. Ongley**. Leave was given to bring it in.

January 26. The House in Committee on the supplies. A motion was made that the additional duty on malt, mum, cyder, and perry, which would expire June 24, 1774, be further continued until the 24th of June 1775.

**Mr. Sawbridge** acquainted the House, that on the account of the present high price of malt, the brewers had stopped brewing, and he thought, before they proceeded to vote such duty, they ought to take the sense of the brewers upon it, and to be thoroughly satisfied with their reasons for not brewing; as the House laying a duty on malt so high that the brewers could not exercise their business, would be laying a duty on an article that could not be used, and therefore would be of no service. **Sir Charles Whitworth** then left the Chair, and the House formed itself again.

Mr.

Mr. HOPKINS acquainted the House, that he had a petition to present from John Roberts, Esq. complaining of an undue election for a Member to serve in Parliament for the city of London. The petition was then read, setting forth, that the Right Hon. Frederick Bull, Esq. and those that conducted his election, had made use of illegal means to procure a majority of votes; that the sheriffs had refused to admit persons to vote for Mr. Roberts, and suffered several to poll for Mr. Bull, who were not qualified, and praying the House to take it into consideration, and grant their petitioner relief. Mr. Hopkins.

Mr. BULL then arose, and after making a short apology for the House receiving any trouble on his account, acquainted them, that he had not made use of any illegal means, neither had any person, to his knowledge, made use of any for him; that he did not wish to hold a seat in that Honorable Assembly by any unfair proceedings, but heartily consented to the legality of his seat being debated in that grand council of the nation, conscious that both Mr. Roberts and himself would receive equal justice. Mr. Bull.

Mr. HOPKINS said, that Mr. Roberts did not offer his petition out of any ambition or pride to have a seat in that Honorable Assembly, but thought it his duty in behalf of 2481 Liverymen, who had given him there full suffrages; likewise to detect and expose any violation of so great a blessing as the freedom of election. He then made the following motions: That next Monday three weeks, the 14th of February (here a general laugh—Mr. Hopkins enquiring the reason, was informed that instead of its being the 14th of February, it would be the 21st) be appointed for debating this petition. (After the Alderman was set right in regard to the day, the motion was agreed to.) He next moved, That the SPEAKER do issue his warrant or warrants for such persons, papers, and records to be brought before that House as the parties should think fit. Mr. Hopkins.

Mr. SAWBRIDGE got up, and in a very masterly manner explained the nature of elections for the city of London, and desired a particular Act of Parliament for that purpose might be read. (Here an Act made in the 11th of George the First was read, respecting election for the city of London in particular.) He said, Mr. Roberts had demanded a scrutiny, which the Lord Mayor, conscious of his uprightness, had granted; that Mr. Roberts, before the scrutiny was finished, declined carrying it on, which, in his opinion, was the same as declining to stand candidate; that, for his part, he wished Mr. Roberts had carried on his scrutiny, as then there would have been no occasion to trouble the House, for he could not have had the least pretensions to the seat; that he thought the petition

tion was only to create trouble, and therefore he moved that it might not be referred to a Committee.

Mr. Charles Fox. Mr. CHARLES FOX replied to Mr. Sawbridge in a very warm manner, and said, that after leave was given to bring in the petition, it did not lay in the breast of the House to refuse its going into a Committee; he arraigned the conduct of Parliament in a very strong manner; said that an Honorable Gentleman last year promised to make, this session, a motion for making the Act respecting undue elections perpetual; he wished he would, as he longed to hear that question debated; that at present there was a number of mock ceremonies used in the House in referring matters to Committees, which he should like to see properly explained; that many who had benefited by those Committees were for them, and others, who thought they had been injured, were greatly against them (he hinted particularly at the conduct of the Committee appointed to enquire into the Shoreham election).

M. T. Townshend. Mr. T. TOWNSHEND said, in a very masterly manner, that the Honorable Member (Mr. C. Fox) had been guilty of many indecencies to the House; that he had, indeed, chose a place to speak in which had formerly belonged to those appointed to consider of undue elections; that some of his predecessors had been concerned in those Committees, and he imagined the Honorable Gentleman thought such places hereditary; that, for his part, whenever the Honorable Member should move to make it perpetual, he should give his consent, as Ministers had preached concerning it, and Judges had thought proper to recommend it.

Mr. Rigby. Mr. RIGBY got up, and espoused Mr. C. Fox's side; he said, that the House, he understood, had received a petition concerning the Worcester election, charging several of the freemen with accepting bribes, which, if they could be proved, he hoped the House would disfranchise the same, as they did the borough of Shoreham; and, if they should go on disfranchising all places that had accepted of bribes, possibly the city of London would not escape, and they would have work enough to do; that a general election was drawing nigh, and several monied men from the East Indies, whom we now call Nabobs, would go down to our boroughs, which were called the rotten part of the Constitution, with 50 or 60,000*l.* in their hands; that many of the freemen could not withstand such temptation; that, for himself, he had been twenty-one years in Parliament, and it had never cost him a shilling, which he believed no Member, of the soundest part, could say.

Mr. Onslow. Mr. ONSLOW said, Mr. Sawbridge had told us that Mr. Roberts declined carrying on the scrutiny, but had forgot to inform

inform us the reason why he declined it, which was being refused counsel, and that he thought Mr. Roberts had a very just right to petition.

SIR JOSEPH MAWBEY said, that Mr. Roberts began his scrutiny without counsel, and did not give notice to the Lord Mayor of his intention of having counsel, until a day or two before the Sheriffs were obliged to return a Member, therefore thought he had no right to petition. Sir Joseph Mawbey.

Mr. SAWBRIDGE then rose, and desired to set Mr. C. Fox right, who had misunderstood him, for he did not say the House had no right to consider whether the petition should go to the Committee or not, but that it was his opinion the petition ought not to have been received at all. Mr. Sawbridge.

The motions of Mr. Hopkins were again read, and agreed to.

LORDBARRINGTON moved the Committee, that eighteen thousand and twenty-four men be employed for guards and garrisons within Great Britain for the year 1774, and fifteen thousand in Minorca, Gibraltar, the Ceded Islands, and North America, during the same period; and that the charge of the same, including the half-pay to officers, &c. was 1,376,000*l*. These resolutions being agreed to, Sir Charles Cocks moved, That 284,000*l*. including an additional expence of several enumerated articles, amounting to 26,000*l*. be the charge of the ordnance for the year 1774. Lord Barrington.

LORD BARRINGTON said, that he was glad to inform the House, that the expences this year were not so much as the last by 100*l*. The estimates for the ordnance greatly exceeded any before granted, which Sir Charles Cocks explained by the number of ordnance stores that had been expended on the shipping, repairs done to the Foundry at Woolwich, the fire in the Tower, great demands from Gibraltar, &c. Lord Barrington.

[The House at this time was in great confusion, upon which Mr. Sawbridge arose, and said he was sorry to see the House so inattentive, when millions were voting away for—God knows what!]

Mr. T. TOWNSHEND said, he was sorry to see every year our demands increase; that the peace establishment for sea-men was increased from sixteen to seventeen thousand, and he thought some stop should be put to such proceedings; that Mr. Grenville, while in Administration, had made it his business to enquire what those supplies were for, and if any were superfluous to deny them; but we, as the Honorable Gentleman (Mr. Sawbridge) had said, were always inattentive at the time we were granting supplies, without ever examining what they were for; that great sums were annually granted for protecting Mr. T. Townshend

what we called achievements gained in the last war, and which were of no service to us, a parcel of forts two of three hundred miles distant from each other, scarce able to defend themselves against the Indians, and of no manner of importance.

Mr. Van.

Mr. VAN said, that great sums were likewise expended to protect the Bostonians, &c. who by their conduct did not deserve protection; that instead of keeping troops there at a vast expence, we might only send them over able officers, and teach them to fight; that they were numerous enough to defend themselves against an enemy, but not strong enough to rebel against us.

Mr.  
Dowdeswell.

Mr. DOWDESWELL spoke much in favour of the administration of Mr. Pelham; said that our keeping up a large armament now was no stroke of good policy; that at the commencement of the last war we had not near the force we have now, yet we proved successful; and he would venture to prophesy, that let a war break out when it would, we should lose at first, let our strength be ever so great, as it lay in the breast of the enemy to attack which place they thought the weakest. He said we were in no situation to go to war; that publick credit was very low; that Mr. Pelham did not load the subjects with taxes on the eve of a war, but, on the contrary, reduced the interest of the national debt one *per cent.* and concluded with saying, he thought we should soon have more debt than the State would be able to pay.

The supply was agreed to.

January 27. The House in Committee on the Act which regulates the importation of Corn to and from the Colonies, and the Islands of Guernsey and Jersey,

Mr. Rose  
Fuller.

Mr. ROSE FULLER made a motion for leave to export a quantity of wheat, flour, biscuit, and starch made of wheat, not exceeding two thousand quarters, to the Sugar Colonies, and an unlimited quantity of barley, rye, oats, beans, pease, &c.

A gentleman made an objection, saying, our harvest last year was but bad, and we could not spare any to the Colonies, for the demands from Guernsey and Jersey were very great.

Mr. Prescott.

Mr. PRESCOT said, he thought the Colonies had a claim in preference to Guernsey and Jersey, as the former were debarred from having any sustenance but by way of Great Britain, which the latter was not; that Guernsey and Jersey did not consume the quantity that was exported there, but smuggled great part of it over to France.

Mr. Fuller.

Mr. FULLER said, that as the Colonies bought most of their victuals, drink, cloathing, and working utensils of us, he thought it was hard to deny them a morsel of bread.

Mr.

Mr. VAN desired, that if two thousand quarters of wheat, <sup>Mr. Van.</sup> flour, and biscuit, were to be exported, that Bristol, Liverpool, and other seaports, might be allowed to supply a part, and not the port of London engross the whole demand.

Mr. PRESCOT objected, saying, that if leave was given <sup>Mr. Pres-</sup> for them to supply any, before we could look round us, they <sup>cot.</sup> would export treble the quantity allowed.

GOVERNOR POWNAL stated the whole of the corn <sup>G. Pownal.</sup> business in a very masterly manner. He said, that by our neglect in not supplying the Colonies, it had given rise to a corn market being established in North America, by which we had lost a trade of half a million per ann. and a trade by which North America had since gained annually 600,000*l.* that we need be in no fear of granting leave for the Colonies having a limited quantity of our grain, as they could buy it much cheaper from North America; that he had compared our prices of wheat, flour, and biscuit, for the last three years with theirs, and found they could afford to sell for nine shillings what we sold for twelve shillings, and they had a granary sufficient to supply all Europe; that if we exported any flour to the Colonies, it was a great chance if it was not made from the wheat which we had imported from North America; that though they had prayed leave to import two thousand quarters, by the accounts which lay upon the table, it appeared they seldom did import more than six hundred, which could never hurt us; that it was true, whenever there appears a scarcity of grain in the Colonies, North America was sure to raise their market to an enormous height, and thereby greatly distress the West Indies; that in this case, allowing a limited exportation would be of service, as it would be a curb upon the avarice and cruelty of the North Americans; that to be sure our wheat demanded the closest attention, but he could almost wish to see the price of beans so high, that it would not be worth the millers and bakers while to mix that flour with wheaten; that in regard to our barley and rye, he should say but little, but our oats demanded a serious consideration, as the consumption at home was great, and, in his opinion, we could not spare any, at least the quantity allowed to be exported should be limited, as well as the wheat; as for the islands of Guernsey and Jersey, they had ample provision of every thing but biscuit, which was a very material article, as it was much wanted in fitting out our fleets for the fishery.

Mr. COOPER made a motion for an addition and amend- <sup>Mr. Cooper</sup> ment to Mr. Fuller's motion, which was to allow the islands of Guernsey and Jersey biscuit, and the island of Alderney all sorts of grain. The motions were all agreed to.

January

Lord North January 28. LORD NORTH moved, That three shillings in the pound be the land-tax for 1774.

Mr. Saw-  
bridge.

Mr. SAWBRIDGE rose, not to oppose the motion, but to lament the necessity of continuing such a burthen some tax after eleven years peace, and to condemn the present mode of levying taxes in general. He said, though the land-tax was only three shillings in the pound, every landed gentleman paid fourteen shillings for every thing he eat, drank, or wore, and however paradoxical it might appear, if the land-tax was six shillings in the pound, it would raise a far greater sum than now it was at fourteen shillings.

The motion met with no further opposition.

February 11. A paper having appeared in the Public Advertiser of this day, charging the Speaker with injustice and partiality upon a petition from a Mr. Tooke, against a Bill to enclose a common in the county of Norfolk, the Speaker, when he took the chair this day, made a short apology for not coming sooner (it being after three o'clock) and said, it was on account of a letter which had appeared in a publick paper addressed to him; that he should wish before he proceeded to business, the Honorable Members who were employed in the business of the petitions alluded to in the said letter were present, that they might declare what they knew of his conduct in respect to their petitions, and whether he merited the abuse that was thrown on him. Neither Mr. Sawbridge nor Oliver being present, the common business went on for some time; but the Speaker, finding that neither Mr. Sawbridge nor Mr. Oliver were come, begged leave to go on with his vindication, said, he was conscious there was not the least ground for the accusation against him; that, if he was guilty of such baseness as he was there charged with, he ought not only to be drove out of the chair, but never suffered to come within the doors of that Honorable House again; that he now perceived an Honorable Gentleman coming in, who presented one of the petitions [Mr. Sawbridge came in at that instant], and he hoped he would inform the House what he knew of his conduct respecting these petitions.

Sir Edward  
Astley.

Sir EDWARD ASTLEY arose, and went through the whole of the charges contained in the said letter, as far as respected him, and said, the charges of partiality were false.

Mr. Saw-  
bridge.

Mr. SAWBRIDGE said, that he was applied to, to present the petition but a few days ago; that what he had said concerning it was according to the instructions he received; but he knew of no partiality on the side of Sir Fletcher.

The whole House seeming unanimous that the charge was groundless, Sir Fletcher arose, and said, he was thoroughly satisfied the House thought him innocent, and it was the height of his ambition to gain their esteem; that, if he had their good word, he cared not what any faction said of him.

The order of the day was going to be read, when Mr. Herbert said, he thought it would be an impeachment of the understanding of that House, to suffer such a thing as this to pass with impunity, that he should therefore move, that the printer of the paper be brought before the House.

Sir JOSEPH MAWBEEY said, he should dissent to such a motion, not through any disrespect to the Speaker, whom he thought perfectly innocent of the charge against him, but because it would be productive of much disturbance, and the same tumults that a like order produced a few years past would be all revived again; that for his part, he thought the letter was writ with a view to hurt the liberty of the press, and set his Majesty again at variance with the city, more than any spleen to Sir Fletcher. That as Sir Fletcher seemed satisfied with the favourable opinion of the House, he thought the motion was needless; if Sir Fletcher was not satisfied, there were our courts of law open to do him justice.

Mr. CHARLES FOX said, he agreed with the worthy Baronet (Sir Joseph) that the letter was wrote with an intent to hurt the liberty of the press, for it was full of such flagrant falsehoods, that no man of sense, who read it, could put the least belief in it; that he likewise agreed it would be productive of bad effects; but, was any Member of that House, much more the Speaker, to be libelled in so gross a manner, and be obliged to descend to a law-suit? No! he hoped they would always preserve their prerogative, and protect themselves, for it would be an absurdity to appeal to an inferior court for protection; he said, would the Court of King's-Bench apply for protection to the Court of Common Pleas? That he observed the Honorable Gentleman (Sir Joseph) dreaded the consequences arising from the motion; he said, because they were so favourable to the printers the last time, they imagined they had a right to libel any Member, and if the printers were suffered to go on at this rate, they would next claim, as one of their privileges, the right of libelling whom they pleased; that we were now warm in the matter, and therefore it was the properest time to discuss and go through with it.

LORD NORTH said, he was very well aware of the consequences that would arise from the motion, but the liberty of the press had got to such a height, that some measure must be thought on; that he supposed the printer would not obey the summons;



summons; they must then send their messenger to take him into custody; some city Alderman would take up the messenger, and the next step would be to take up the Alderman; that the Alderman would not mind going to confinement for two or three months, as it would make him popular, and establish him a patriot; but he hoped the conduct of the citizens to the last Aldermen that were confined on account of the printers, would be a caution to any Alderman espousing their cause for the future; that one indeed preserved their esteem, but the other (Mr. Oliver) whom he would be bold to say was as honest and able a magistrate as any in the city, had been made the publick butt for ridicule, by the very citizens whom he had suffered confinement for; that the courts of law had given it as their opinion, that the Speaker's order to take up a printer was legal and sufficient, and he hoped this matter would now be settled, as it must be done, and the sooner the better, otherwise no person's character was safe.

Mr. Saw-  
bridge.

Mr. SAWBRIDGE said, he did not agree with the Honorable Gentleman (Mr. Fox) that, as we were now warm in the affair, we ought to go through with it; he thought the most proper time to discuss such business would be when we were cool; and if Sir Fletcher was not satisfied (which till Mr. Herbert made his motion, he thought he was), he would be sure of redress at law, for we had lately had an instance of it. The First Lord of the Admiralty had obtained 2000*l.* damages from the printer of the London Evening Post for a libel against him; that as to an Alderman wishing to gain popularity by confinement, he could say nothing to it; but concluded his speech with these words: If this business should come before me, I will dismiss the printer. I have no hopes of gaining popularity or gratuity by so doing; I cannot bear confinement; I love liberty, and if I should be taken into custody, I shall have this consolation, that I am suffering for the good of my country.

He was replied to by Mr. Jenkinson and Sir Harbord Harbord, who spoke very ably, but nearly the same as Lord North had done.

Mr.  
Dowdes-  
well.

Mr. DOWDESWELL then said, the noble Lord imagined the printer would not obey the Speaker's summons; it was his opinion the printer would; and suppose he should inform them the author of the letter was Mr. Wilkes, what would they do to him? Why, nothing. That he had a great esteem for the liberty of the press, but he thought that liberty was greatly abused, and hoped to see some able regulations made in it, but not the liberty destroyed; that he plainly foresaw, unless some proper methods were taken to correct those abuses,

abuses, the Legislature would be obliged, in its own defence, to destroy it entirely, let what would be the consequence.

Sir WILLIAM MEREDITH said, the author being given up, should not exculpate those dark and infamous incendiaries, printers, who kept their presses open, and were glad of an opportunity to stab any man's character, so that it would make their paper sell; that he looked upon printers to be the most libellous and unworthy set of men we had. Sir William  
Meredith.

Mr. Herbert's motion was going to be read, when Mr. DEMPSTER arose, and spoke nearly as follows: We are talking of preserving our power: let us consider of what our power consists.—Is it not the power of the people? Can we destroy their liberty without our own? And I look upon this motion to be levelled entirely at the greatest of blessings we enjoy, the liberty of the press; a liberty, Sir, that is the means of our publick money being expended so well as it is; it keeps great men honest through fear of being exposed; and those that oppress the people now, would oppress them ten times more, was it not for the censure they are liable to through this channel. The liberty is abused, I own; but I think, before such a motion was made, it would have been proper for the House to come to a resolution of your innocence, and let it be recorded in the Journals. I have no doubt, Sir, of your innocence, and the letter alluded to being a libel; but I think we are too precipitate in our proceedings. Mr. Dempster.

Mr. WARD said, it was an idle notion the city of London entertained, that the Speaker cannot command them to appear. He asked what were their privileges more than the city of Worcester, or any other city? Had they not lately had an instance of the Speaker summoning people from Worcester, and had they not attended? He said, he should like to have this matter finally determined, whether they had an authority in the city, or not. If their power was to be restrained, he would say to them what Oliver Cromwell said to those that filled their seats in his time, 'You are no Parliament.' Mr. Ward.

A motion was then made, "That the letter in the Publick Advertiser of this date, addressed to Sir Fletcher Norton, Knight, Speaker of this House, is a false, scandalous, and malicious libel, contrary to all law or justice, and an open violation of the privileges of this House."

The question was put, whether the above should pass, and agreed to *nem. con.*

Mr. Herbert then moved "That the Printer of the Publick Advertiser be ordered to attend this House on the 14th instant."

And he was ordered accordingly.

February 14. The printer attended according to order, and was called in; and being asked to make his defence, he said, "I received the letter from Mr. Horne. I was the more induced to believe the contents true, because I saw the copies of two petitions, the one signed Thomas De Grey, Esq. the other William Tooke, Esq. I did not read the former part of the letter, which neglect will, I hope, be imputed to that hurry which the nature of my business subjects me to."

The Clerk having taken down this part of his exculpatory address, the Speaker asked, if that was all he had to say in his defence? He replied, "During the course of twenty years in which I have been in business, I never before incurred the displeasure of this House. I have voluntarily obeyed the summons, and throw myself upon the mercy of the House."

He was then interrogated by a Member, whether he knew Mr. Horne's christian name? He answered, "John." Whether Mr. Horne was a clergyman? His reply was, "He is deemed so." He was questioned as to the place of Mr. Horne's residence, and the profession he followed? He answered, after some hesitation, "That Mr. Horne lived, he believed, at Brentford, and officiated as curate there."

He was then ordered to withdraw, and the debate was opened by Mr. Herbert, who, after expatiating upon the enormity of the crime, the atrociousness of the libel, and the necessity of maintaining the privileges of the House inviolate, moved, "That H. S. Woodfall, for having printed a false, scandalous, and seditious libel, should be committed to the custody of the Serjeant at Arms."

On the other side it was asked, why they would send the printer into confinement? Had he not obeyed their summons, and given up the author, which was as much as a man could do? A gentleman declared himself an entire stranger to the printer, and said, "he never wrote a paragraph in his life, but was sorry to say, there were many Members in that House, who, at times, wrote as scurrilous libels in the publick prints, as the one in question, and the most inflammatory paragraphs, and yet some of those persons would possibly now declaim against it. Did they mean to engross all the libelling, lying, and slandering to themselves? If they punished this man, they would never find another printer obey their summons, for the utmost they could do would be to confine him, if he refused to obey their orders; that he thought by encouraging the printer, they might discover the authors, and thereby punish those who were guilty."

Mr. Saw-  
bridge.

Mr. SAWBRIDGE said, that the House was now attempting to usurp an authority, which, in his opinion, they had no right to

to do; that, according to what his ideas were of the law, this proceeding of theirs was directly opposite to *Magna Charta*; that the first time of the House assuming this authority, was in the reign of that despot Queen Elizabeth, who had a complaisant Parliament, that would punish any person she took a dislike to. The next attempt was made in the reign of King Charles, and he imagined they would be sorry to quote precedents from his reign; that the most sanguine for the power of the House would not allow it went farther than imprisoning the offender for the remainder of the sessions; that printers would not mind imprisonment three or four months, as it would possibly be the making of them, for the publick would support them, not as libellers, but men who had been falsely imprisoned; that the House had no right to form themselves into a court of criminal judicature; there was scarce a person among them, but was prejudiced in favour of what they were contending for (the privilege of the House), and therefore were not fit persons to be judge and jury in their own cause; that if this cause was to come into the Court of King's-Bench, and any of the Members were to be on the jury, the printer would have a just right to strike them off as prejudiced persons; that, by punishing the printer, they would increase the number of libels; for during the eight months the Parliament did not sit, and as it appeared the Courts of Law had no right to interfere, the press would teem with the most scurrilous abuse, knowing they could not be hurt; they would then have some reason to restrain the liberty, which he imagined was what they aimed at.

Mr. CHARLES FOX said, he was not against shewing Mr. Charles Fox. lenity to any man; but to a person who had been proved guilty of such an atrocious crime, he thought committing to the Serjeant at Arms was not sufficient: he should therefore move that he be committed to Newgate, as the proper place where offenders should be sent to, though hints had been thrown out that the Sheriffs would not admit him; that the printer, to shew you how much he regarded the Speaker's order, had, on Saturday morning last, printed verbatim the resolutions of the House.

SIR JOSEPH MAWBEEY said, he thought the printer had Sir Joseph Mawbey. a right so to do; that the publick had a right to know what was going on within those walls; that no person ought to dread the debates of that House being given in the publick papers more than himself, as he was often guilty of absurdities; that himself had been dealt with pretty freely, but not so much he believed as the noble Lord, (Lord North), yet he felt no kind of

repentment for the printer; it was the author that was culpable.

Sir William  
Meredith.

SIR WILLIAM MEREDITH said, he had observed the debates given in the papers, and they were frequently false; for the persons who gave them, if they had a mind to blacken any person's character, could easily do it; that he had often seen the noble Lord's (Lord North) speech greatly misrepresented, and he sincerely wished a stop might be put to their being given.

Lord North.

LORD NORTH said, it was true he could not recollect what he said on Friday last, but he was certain he meant no harm to the liberty of the press; that he thought the press was on a very good footing, as it was at the printer's peril what he published; yet he thought the printers more culpable than the authors; for if they did not keep open shops for any wretched and malevolent scribbler, we should have none of the abuse we now have; that he was sorry to hear the Honorable Gentleman (C. Fox) mention, that hints were thrown out of what the Sheriffs would do; he hoped there were no persons who would dispute the power of the House; that he should therefore move that the printer be committed to the Gatehouse, as he thought it was highly imprudent to force ourselves into a contest with the City; it would come on soon enough of itself, if they were refractory; that he should have had no objections to the first motion, if a precedent could be found where a libeller was committed to the Serjeant at Arms; that as to shewing lenity, he had no objections, if the printer would afterwards petition; but it was necessary for the honor of the House, that he should be committed to some jail.

Captain  
Phipps.

CAPTAIN PHIPPS said, he was surprised to hear the word honor mentioned in the House, he thought it had been discarded; he knew of no honor they ought to contend for, but the doing the duty of their constituents; said, if they acted consistently, they need never be afraid of their conduct being arraigned, but he was sorry to say they had lost the confidence of the people.

Mr. C. Fox.

MR. C. FOX said, we had not lost the confidence of the people by the Middlesex election, as was foolishly thought, but by suffering with tameness the many insults that had been offered to the Sovereign, and that House; that had he his will, those Aldermen, and others who presented their remonstrances to the Throne, should be taken into custody; that a few years back they sent two Aldermen to the Tower, but suffered a paltry printer, J. Miller, to hold them in contempt; that he had not yet obeyed their summons, and he supposed never would; that it was by these means we lost the good-will of our

con-

constituents; but he hoped he should now prove, that no man in the kingdom, the House of Peers excepted, had a right to disobey the order of that House; that if they had a right to summons people for information, they had a right to summons them for any thing.

GOVERNOR JOHNSTONE spoke much in favour of the Governor printer; said, this matter seemed to be concerted; as they had put up with much greater insults than the present. *Johnstone.*

Mr. DEMPSTER said, the House had owned the greatest power they had was committing to prison, and as Woodfall had not been guilty of the highest offence, why should he suffer the greatest punishment? that as to printing the debates, he constantly read the paper, and seldom found any thing of their proceedings in it; if he wanted to see the debates, he generally looked at some other. *Mr. Dempster.*

The other speakers for the printer were, Mr. Mackworth, Sir Edward Aftley, and Mr. Van.

Against him, General Conway, Sir Thomas Clavering, Colonel Burgoyne, the Attorney General, &c. The other part of the debate was only concerning the privilege of the House, whether they had a right to commit to the Serjeant at Arms, Newgate, or the Gatehouse. A number of precedents were produced of people being committed to all the above places, but not for the like offence.

Mr. Charles Fox withdrew his motion, and the question was put, "Whether the printer should be committed to the Serjeant at Arms, or the Gatehouse?" Carried for the Serjeant at Arms by 152 against 68.

He was accordingly ordered into custody. The question was then put and resolved on unanimously, that John Horne do attend this House to-morrow.

February 16. Mr. C. FOX said, he had two newspapers of that day in his hand; that in each was a letter signed, "A South Briton," which, in his opinion, was the most flagrant and malicious libel that ever appeared; that it was a libel of the most atrocious kind, as it reflected on his Majesty and the Government at large; that if they suffered those libellers to go unpunished, we should never be free from libels.

He made a long speech in support of the privilege of the House, and concluded by moving, "That his Majesty's Attorney General be ordered to prosecute the authors, publishers, and printers of the said letter."

RIGHT HON. T. TOWNSHEND spoke against prosecuting the printer, as, he said, he remembered much worse libels against Government, written by Dr. Johnson, and Dr. Shebbeare, *Rt. Hon. T. Townshend*

Shebbeare, both of whom were now pensioners of Administration; that the former had, since his first pension, written a most atrocious libel, for which, he had been credibly informed, Dr. Johnson had had his pension doubled; that another person had endeavoured to vilify the characters of the immortal Ruffel and Sidney, from what he called authentick papers; that he thought such a person deserved to be prosecuted and persecuted, for imposing upon the publick such infamous falsehoods, much more than the poor wretch of a "South Briton," who seemed just able to write his name, and retail from others. He was very severe upon the conduct of Administration in pensioning the Doctors Johnson and Shebbeare; that he had heard Dr. Johnson thought it a disgrace to be mentioned with Dr. Shebbeare, and Dr. Shebbeare thought it a disgrace to be mentioned with Dr. Johnson; that he believed, however different their political opinions might be, they had both written libels to one purpose, namely, to become pensioners; that they had both infamously abused the character of every King since the Revolution except his present Majesty (Dr. Johnson, in particular, speaking of King William, had called him the "gloomy William"), and he was sorry to see them driven to such a shift as to arraign the characters of the dead to make those of the living appear well.

Mr. Stephen  
Fox.

Mr. STEPHEN FOX arose and said, he heard Dr. Johnson and Dr. Shebbeare mentioned; he wanted to know what they had to do in the present question.

Lord North.

LORD NORTH said, he imagined the Honorable Gentleman (Mr. T. Townshend) meant Sir John Dalrymple; that he did not know that Sir John ever received a farthing from Government for his late publication; but he would, in justice to Sir John, declare, that the papers which he compiled his work from were authentick; and if they were false, it was the fault of those who writ them originally; that he never read any of the letters till published, and that the only support he had given the work, was buying the book when published, from a bookseller, and that at the same price as any other person.

Right Hon.  
Mr. Town-  
shend.

RIGHT HON. MR. TOWNSHEND said, he thought the noble Lord had better have remained silent, for he had spoken upon a subject which he owned himself ignorant of; that he had thought proper to evade saying any thing about what he did not know relative to Dr. Johnson or Shebbeare, who the noble Lord could not deny were pensioned.

The motion was then made, "That the letter signed a South Briton, printed in the Public Advertiser and Morning Chronicle of this day, is a most scandalous, malicious, and traitorous libel,

libel, tending to excite insurrections, and disturb the peace of the Government."

Mr. CHARLES FOX then moved, "That the Attorney General be ordered to prosecute the authors, printers, and publishers of the said libel," which was agreed to, only one dissentient voice (Mr. Van).

The order of the day was then read for the Rev. John Horne to attend. The Speaker desired that his name might be called over in the lobby, to know if he attended. His name was accordingly called, but he did not attend. The messenger was then ordered in who served Mr. Horne with the summons. A copy of the summons was read; the messenger was then desired to give an account of what passed between him and Mr. Horne when he delivered the summons, and where he found Mr. Horne. He said, "he went to Serjeants-Inn, in Fleet-street, on Monday evening, about a quarter past eleven o'clock, to a Mr. Tooke's; that he asked the servant if the Rev. Mr. Horne was there?" The servant answered, "Yes." The servant desired to know his name? He replied, "Mr. Horne did not know him, he wanted to speak to Mr. Horne concerning some business of the House of Commons." The servant then desired him to walk into a parlour where Mr. Horne was sitting; "that he then took the orders out of his pocket, and gave one to Mr. Horne, and asked him if he was the Rev. Mr. John Horne?" Mr. Horne said, "my name is John Horne, but there are several John Horne's in London besides me." When he looked at the letter, he said, "I fancy there is some mistake in this; but give my compliments to Mr. Hatfell, and tell him, that when an order of the House of Commons is directed to me, I shall think it my duty to pay obedience." The messenger was then asked, whether Mr. Horne put the summons in his pocket? he said, "he left him with it in his hand\*." Mr. De Grey

\* "Lunæ 14<sup>o</sup> die Februarii, 1774.

"The House of Commons having on Friday last resolved, *nemine contradicente*, that a letter in a newspaper (intituled, The Public Advertiser, Friday, February 11, 1774, and purporting to be printed for H. S. Woodfall, No. 1, the corner of Ivy-lane, Paternoster-row) addressed to Sir Fletcher Norton, Knt. Speaker of the House of Commons, reflecting on his character, and on his conduct as Speaker of this House, in relation to an application to the House by petition for an inclosure of lands in the parish of Tottington, in the county of Norfolk, is a false, malicious, and scandalous libel, highly reflecting on the character of the Speaker of this House, to the dishonor of this House, and in violation of the privileges thereof; and the said Henry Sampson Woodfall having at the bar of this House this day informed this House, that the said letter was delivered to him by the Reverend John Horne;

"Ordered,

That the said Reverend John Horne do attend this House upon Wednesday next,

"J. HATSELL,  
# Cl. Dom. Com."

T<sup>o</sup>



Mr. SAWBRIDGE then arose, and observed, that he remembered the time when the Honorable Gentleman thought it not derogatory to his honor to be reckoned amongst the list of modern patriots; that when he belonged to that corps, the modern were as respectable as ancient patriots; but that the moment the Honorable Member thought proper to desert, from that moment not one gentleman was to be found amongst modern patriots. The Honorable Member, he doubted not, had found out a genteeler, as well as a more profitable profession, and he sincerely hoped he got more by that than the patriots did by their patriotism.

COLONEL ONSLOW again rose to explain and vindicate himself from the charge of desertion and inconsistency. He said, that he had always thought, and did still think, that the most impolitick blunder Administration had ever been guilty of, was in expelling Mr. Wilkes for his remarks on the King's, or, more properly speaking, the Minister's speech. But though I was in that particular an advocate for Mr. Wilkes, was I (continued the Colonel) therefore compelled to follow him through all his incongruous absurdities? As to any profits he acquired by an exchange of his patriotism, the Colonel declared the patriots derived more pecuniary emolument from that profession, than he did from the avowal of any principles he subscribed to. Neither courtiers nor patriots will pay my debts; yet the patriots had paid Mr. Wilkes's debts, amounting to 20,000l.

Mr. DE GREY observed, that the Honorable Member, who spoke last, had afforded much diversion to the House; but they were met to debate seriously, and to talk wisely. Such strokes of humour might be very suitable at Arthur's or Almack's, and the jocular author would be applauded for his brilliancy; yet though he had delivered himself like a wit, he had not spoken to the purpose like a man of business; he therefore begged leave to recall the attention of the House to the question, which was simply, whether Mr. Horne, who received the summons, was or was not the person described in that summons? If he was, he was in contempt for disobeying the orders of the House.

The question was then called for, and passed, "That the Reverend John Horne should be taken into the custody of the Serjeant at Arms, and that the Speaker should forthwith issue his warrant for that purpose."

Feb. 17. SIR THOMAS CLAVERING made a motion, "That a Committee be appointed to enquire into the state of the Linen Manufacture of Great Britain and Ireland." He prefaced his motion with a number of arguments, setting forth the desperate state the trade was in; that there was not

at their bar; that if they were strenuous for preserving the honor of the House, did it enhance their dignity to have the veriest of the rabble, the lowest wretches in God's creation kneel prostrate before them? That in a contention with the other House (which he feared he might call the Upper House, for they were treated as if the inferior House with a witness), that in such a contention, the exertion of privilege could not be carried with too high a hand; but to call forth their powers against the very dregs of the human species, was acting to the last degree absurd. Mr. Burke concluded, that whilst they exerted their rights as checks upon the other parts of the Constitution, they might expect the support and countenance of the people; but if their privileges were maintained upon every trifling occasion, against men of no kind of weight or influence with the world, or against the popular sense of the nation, they would soon lose the privilege of sitting in that House.

**Col. Onslow.** COLONEL ONSLOW—It was true that he had been accessory in bringing a milkman before that House; but he was far from being one of the rabble; he was so respectable a character, that a magistrate absolutely refused to take 400l. bail for his appearance. The chimney-sweeper also might, for aught he knew, be a man of as much consequence as some of our modern patriots; nor should he wonder if a modern patriot should be found disguised like a chimney-sweeper; that he begged leave to pit his chimney-sweeper against Parson Horne; a man (for gentleman he could not call him) by no means so respectable as his milkman. The Colonel said, I caused the milkman to be brought before you with the very same intent for which you bring a printer to your bar, to discover the author. Modern patriots hired the rabble to traduce their betters; modern were as much like ancient patriots, as much like Cato or Brutus, as the milkman was like a Peer. He added, that had he on that occasion been properly supported, the House would not now be troubled with the question before them; but I was traduced (continued the Colonel) my life was once actually threatened, yet I laughed at such scurrility, such futile attempts. Indeed I only shared an equal fate with some other respectable personages. I had the honor, Sir (said the Colonel, addressing himself to the Speaker), I had the honor to be hanged [in effigy], on Tower-Hill, on the same gibbet with you: indeed, in the dying speeches, the patriots paid me the greatest compliment, for they gave out that I died penitent, but that you, Sir, remained hardened to the last.

A burst of laughter ensued, which continued for some minutes incessantly,

Mr.

Several questions were proposed to the Speaker to be asked Mr. Horne.—Mr. Horne was called in, and the question put to him.—He desired to know whether what Mr. Woodfall had said was the only evidence or charge against him? The Speaker said, it was the charge; he then said, it was very droll, for he had a charge against him; he spoke for a long time, and concluded with saying, he should plead there, as in any other Court of Justice, not guilty. He was again ordered out, and another debate ensued on the competency of Mr. Woodfall's evidence; it was strongly urged on one side, that Mr. Woodfall being under sentence could not be a proper evidence; it was as strongly opposed on the other. Mr. Horne was again called in, and desired to know, if he chose to have Mr. Woodfall before him; which was agreed to. Mr. Woodfall was called in, and proved, that he received the letter from that Mr. Horne; that it was that Mr. Horne's writing; and that he delivered that Mr. Horne a proof of the letter before it was published; that he went to Mr. Horne as soon as he received a summons to attend, and that that Mr. Horne desired him to give him up as the author.—They were again ordered to withdraw, and another debate arose, Whether this evidence of Mr. Woodfall was competent or not? and it was proposed to ask Mr. Woodfall, If any person was present at any of the times when Mr. Horne was with him? They were both again called in; Mr. Woodfall said, no person was present when Mr. Horne gave him the letter, no person was present when he gave Mr. Horne a proof to correct—that when the proof was corrected it was sent back; but he was not at home then, nor did not know who brought it or received it. He was asked the names of his servants? He gave in the names of three compositors, some of whom he imagined composed it. They were both ordered to withdraw.

Mr. HERBERT moved, That the three persons mentioned be ordered to attend the House this day. A violent debate ensued, upon the propriety of trying a person, and not finding the evidence already produced sufficient to convict him, putting off the trial to a farther day, in order to search for witnesses to condemn him. It was strongly objected to by Mr. Sawbridge, Mr. T. Townsend, Mr. James Townsend, Mr. Dowdeswell, Mr. Phipps, Mr. William Burke, Mr. Edmund Burke, Mr. Oliver, Colonel Barré, &c. and as warmly contended for by Lord North, the Attorney and Solicitor General, Mr. Gascoigne, Mr. Herbert, Mr. De Grey, Sir William Meredith, &c.

The question was then put, Whether those three persons should be ordered to attend?—Ayes 140, Noes 44.

Feb. 18. The Serjeant was desired to bring the Reverend Mr. Horne to the Bar. A warm altercation now arose, whether the

the questions to be put to the witnesses should be propounded by the Speaker, or only suggested to him by the Members.

Mr. Caven-  
dish.

Mr. CAVENDISH insisted that the Speaker had no such power in himself, and that while the mace was at the Bar, no Member could speak.

To this it was objected, that it was extremely improper to fetter the House with such an unnecessary form; that if it was founded in reason, that reason ought to be assigned; and if it was not, it was fitter to dispense with it than that the proceedings should be thereby interrupted.

The  
Speaker.

The SPEAKER at length declared, that the mode of proceeding in the present instance had been agreed to already, it could not be therefore departed from, and that he should adhere to it. This explanation satisfying Mr. Cavendish, the House proceeded.

Woodfall's three compositors were then successively ordered in, and examined. The testimony of the first witness went no further, than that he composed the letter alluded to from the original copy; that he did not know the hand-writing of Mr. Horne, nor ever saw him write; and that there were five other persons employed in the same branch of business. Another said, that he had a transient view of the copy, but knew not whose hand-writing it was: and the last disclaimed the least knowledge of the matter in any stage of it.

After the examination of the first witness, the Speaker desired Mr. Horne to put any question to him he thought proper; on which Mr. Horne replied, that the only thing he should desire to know from him or the other two witnesses was, if they ever heard him even speak before the present time; to which the witness answered in the negative.

The interrogation of the evidences being finished, the Speaker addressed the prisoner in terms substantially as follow:

"Mr. Horne, you have heard the whole of the charge against you, both from Mr. Woodfall and the evidences just now examined. If you have any thing to say in exculpation of yourself, or any defence to make, now is your time to offer it. I must remind you, that you have no occasion to say any thing tending to convict yourself." Mr. Horne, in an address to the Chair, delivered himself thus:

"I have only my thanks to return for the indulgence and personal favours which have been shewn me. There is, Sir, a maxim laid down by a very wise man, a maxim that hitherto I have found no reason to dispute, it is, that truth hath not friends enough to carry the point by vote; I trust, however, that from the event of this day, I shall be convinced my friend's maxim hath in one instance failed."

Question

Question from the Chair. "Is that all you have to say, Sir?"

Answer. "Yes."

He was ordered to withdraw.

Mr. HERBERT then apologized for the trouble he had <sup>Mr. Herbert.</sup> given the House, and added, that as the evidences had not proved Mr. Horne the author of the libel, to evince his partiality, he should move, "That Mr. Horne be now discharged from the custody of the Serjeant at Arms."—Mr. Sawbridge moved this amendment, "without paying his fees." Mr. Phipps seconded the motion thus amended, upon a principle that he ought not to pay for the neglect of his accusers, in not having witnesses sufficient to prove the charge on the first day; and that if such procedure was once established as a precedent, it would be in the power of a malicious person to ruin any man, by producing fresh witnesses day after day, and thus keeping him a prisoner during the whole sessions. But we have been led into these absurdities, continued Mr. Phipps, by giving ear to false prophecies. A noble Lord prophesied that Mr. Horne would not attend; he had therefore led the House on a wrong scent; and his prophecy failing, no wonder the necessary preparations were not made for the event which happened.

Mr. CHARLES FOX said, it was impossible to sit still and <sup>Mr. Charles Fox.</sup> hear gentlemen give a false statement of the proceedings of the House; he therefore mentioned the detail of occurrences in the order they happened. Though he was not against the motion for the discharge of the prisoner, he hoped the failure of evidence would be a caution to the House, in their future proceedings, and particularly that the House might not think the printer deserved any lenity for obeying the summons, or giving up the author; he had done no more than his duty. The author, Mr. Fox said, was no object to him; the printer, who had inserted such an infamous libel, he was the greatest culprit, and should have been committed to prison, as was at first moved. But Mr. Fox said, he should reserve his sentiments until the printer thought proper to present a petition.

Mr. HERBERT agreed with Mr. Fox, that the printer who <sup>Mr. Herbert.</sup> inserted such a false and infamous libel deserved the severest punishment, and he gave notice, that whenever the printer presented his petition, he should move a prosecution against him for the libel. With respect to the fees, Mr. Herbert contended, Mr. Horne ought to pay them, as his being in custody was owing to his not obeying the summons.

COLONEL BARRE then arraigned, in the most pointed <sup>Colonel Barre.</sup> and sarcastic terms, the whole of the proceedings. He said, that but a very few days ago a Bill had been brought in, prohibiting any gaoler from accepting fees of persons acquitted of the crimes laid to their charge. Were common gaolers

gaolers to be excluded, and was the gaoler of that House to be permitted to receive fees in similar cases? Not (argued the Colonel) that I am for depriving the officers of this House of their proper perquisites; but suppose we compliment them in a more handsome way; suppose we petition the Crown to pay this gentleman's fees; or what if the noble Lord issues a Treasury order for the purpose; Treasury orders are pretty things, and the noble Lord will not be displeased, if I think him tolerably expert at that business. It is urged, Sir, that the fees should be paid, because Mr. Horne was in contempt; but if you discharge, you acquit him both of the contempt and of being the author of the letter. If he is not acquitted of both, you ought not to discharge him. At the first commencement of this business I augured that it would end ill, and I last night felt inconceivable pain for the noble Lord; his troops were no more prepared to defend than to fight for him. I know some little matter about the arrangement of troops, but in my life I never saw a body of regulars cut so wretched a figure! The noble Lord has been charged with what I never suspected him guilty of, a precipitancy. I hope he will take his spirited friend's advice [Mr. C. Fox] and learn a little caution. Advice, whether coming from a grey or a green head, if good, should be followed. Sir, much has been said about the honor of this House; within doors, the terms begin with the printer's word "punctilio," and end "without satisfaction;" but where was the honor of this House, when Mr. Wilkes, in answer to the Sheriffs' summons, called the majority of this House [I don't say it because I am seldom with the majority] corrupt, profligate, and venal? Did he not sign that letter to the Sheriffs with his name? You had the author and printer in your power, where was your honor? Where that wonderful anxiety for the privileges of this House? yet you dare not attack Mr. Wilkes, but pitifully attack a man against whom there is no proof, and bewilder yourselves in fishing out evidence from compositors and printers' devils! We have had a great deal of sound law; I wish we had a little more sound sense from the other side of the House. I have every thing to hope from the noble Lord; he is at present most happily situated, for if he wants law, he has but to look to the left [to Mr. Wedderburne] if he stands in need of common sense, his spirited friend on the right [Mr. Charles Fox] can abundantly supply him!

Mr. De  
Grey.

Mr. DE GREY opposed the discharge of Mr. Horne, and was deviating into an abuse of Mr. Tooke, but Mr. Alderman Townsend called him to order.—Mr. Herbert's first motion was then put, That Mr. Horne be discharged from the custody of the Serjeant at Arms. It passed.

Feb.

Feb. 21. Mr. GRAVES acquainted the House that, as he Mr. Graves. was informed some particular business was intended for that day, he should move, that the order which stood for the second reading of his bill concerning vexatious removals of the poor be withdrawn, and Wednesday se'night appointed in its stead.

LORD CLARE desired that the Members might attend that Lord Clare. day, as the bill was of the utmost consequence.

Notice was brought the Speaker, that a person attended in the Lobby from the African Committee; he was accordingly ushered in, and delivered to the Speaker an account of the exports and imports to Africa for the last ten years.

The order of the day was read, and the Speaker left the chair; the whole House went into a Committee of Supply, Sir Charles Whitworth in the chair.

Mr. BULLER made a motion, "That it was the opinion of Mr. Buller. this Committee, that a sum not exceeding 444,448l. be granted to his Majesty for the service of the navy, including the marine officers, half-pay, &c. for the year 1774." He prefaced his motion with stating the particulars of what had occasioned this extraordinary demand; some of which were, bearing 1688 more seamen than were voted; being obliged to hire watchmen to do the duty the marines had formerly done; several very great repairs to the navy and yards, &c.; that the 4l. per month per man was found not sufficient, by reason that biscuit, beef, pork, and beer, were considerably dearer than at the time that price was settled, &c.

Mr. DOWDESWELL recapitulated the whole of Mr. Bul- Mr. Dowdeswell. ler's reasons for this amazing demand, and answered them all in a masterly manner; said, he was very sorry to see the House so inattentive to business of this importance; that he was much afraid this would be a permanent establishment; instead of our expences decreasing, they were every year more and more; that no one saving had been made but discharging a few cutters; that it would be much more methodical for the gentlemen in that (the navy) department, to make their estimates something near the mark, and not be bringing in after ones, which were always disagreeable; that the accounts appeared to him to be very high, and he should be glad to have a Committee appointed to inspect into the navy accounts, and to report what savings might be made, and whether the present demands were necessary.

THE HON. CONSTANTINE PHIPPS said, in his pro- The Hon. Constantine Phipps. vincial capacity it became him to say something on this matter: he said, in the year 1771, when the alarm of Falkland's Island was, instead of having a navy fit to curb our enemies insolence, he was sorry to say we had no navy at all; that, what was still worse, we had then no timber in our dock-yards, and it was said that we never should be able to get a stock of tim-  
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ber again; that, in the hurry of last war, we were obliged to contract for ships to be built in the merchants yards; they were to last three years, and so well did the merchants mind their contract, that many of these ships sunk at the expiration of three years and four months; that we should have launched this year twelve ships of the line and twenty frigates; that our navy was now on so respectable a footing, that we could dispatch any ship at a week's notice; that, after this year, we should have no occasion to employ the merchants yards, and consequently our expences would be lessened. He spoke greatly in praise of the gentlemen who compose the Admiralty and Navy Boards, saying, that a more able person than the First Lord of the Admiralty never presided at any Board; and, as for the Surveyor of the Navy, he was the most diligent as well as conversant man in his office that ever was known; that our expences might be compared to erecting a fence round an estate, which, when once erected, might be kept in repair for a trifle; that, as to discharging of the cutters, it was of the utmost consequence, for it is one of the finest engines a First Lord of the Admiralty could have in his hands, as he had such an opportunity of appointing Lieutenants to those lucrative and tempting employments.

Mr. Tho.

Townshend

Mr. T. TOWNSHEND said, he was ashamed to hear any person say, that in the year 1771 we had no navy; that he was much averse to disbelieve the Honorable Gentleman, but he remembered in the year 1771 we were told our navy was in as flourishing a state as the Honorable Gentleman represented it to be now; that he had always observed there was some excuse for their enormous demand; that he might be suffered to call it by that name, as the Honorable Gentleman who moved had done the same; he was very severe on the present Administration; said, in however high a light they might look on the gentlemen that filled the offices of State now, they could not be compared to the Administration of Mr. Pelham; that the army was never better governed than by the late Duke of Cumberland, nor the navy better than by Lord Anson: he spoke much in favour of Sir Charles Saunders, and said, he was the first person that was always called out on any emergency, and the last person thought of when any honors were to be bestowed.

Mr. Edm.  
Burke.

Mr. EDMUND BURKE made a very long and masterly speech; said, he heard the Honorable Gentleman (Mr. Phipps) speak in a provincial capacity; he should like to hear some gentlemen speak in an official capacity; but, by the great encomiums the Honorable Gentleman had paid the First Lord of the Admiralty, he imagined it would not be long before he spoke



spoke in an official capacity: he said, he was sorry to find that neither the noble Lord, or any of the Treasury Bench, could give one reason for this enormous expence, no otherwise, than our navy was the bulwark of the nation, and we must support it in defence of ourselves, and to keep our enemies in awe; that he had a very great regard for the navy, but we ought to consider whether we could bear this enormous expence; that by their own accounts the expence of the navy took up the whole of the land and malt tax; that all other exigencies were obliged to be thrown on the sinking-fund: he said, he owned his ignorance in the nature of their accounts; but when the Honorable Gentleman (Mr. Phipps) talked of fencing in an estate, it was something in his own way, and he had often known more money laid out in fencing in an estate, than the estate was worth, and he was afraid that would be the case in the present instance. He was very severe upon the Navy and Admiralty Boards not being able to assign any reasons for the increase of their demands; he said, his Honorable friend (Mr. Dowdeswell) was apt to speak facts that were very disgusting to the opposite side; and observed, that you might as well recommend fasting to an Alderman at a turtle feast in the city, as oeconomy to a Committee of Supply; he was very humorous in the latter part of his speech, by comparing Mr. Dowdeswell to a solid English joint of meat; and that he imagined the noble Lord would open his budget of mirth, of which he had an amazing stock, and afford us an agreeable desert after dinner. That, by our laying out such an amazing sum on our navy, we might possibly render it useless, as when we wanted it most, we had reduced ourselves so low, that we had no money to pay our seamen, and then our fleet would be but of little service.

SIR GILBERT ELLIOT, in a masterly manner, recapitulated the different expences of our navy from before the Revolution, but did not endeavour in the least to explain what this extraordinary demand was for, Sir Gilbert Elliot.

Mr. E. BURKE got up again, and said, the Honorable Gentleman had been very particular in acquainting us what occasioned the different expences one hundred years ago, but had not informed us what occasioned the present. Mr. E. Burke.

Mr. CORNWALL spoke greatly against their not being able to inform the Committee what this enormous supply was occasioned by. Mr. Cornwall.

Mr. PULTENEY spoke much to the same purport. The question was then put, That it is the opinion of this Committee, that a sum not exceeding 444,448l. be granted to his Majesty for the service of the navy, including the marine officers. Mr. Pulteney.

cers, half-pay, &c. for the year 1774; which was carried without a division.

The House broke up at three quarters past six o'clock, and adjourned to this day.

Sir Edward  
Astley.

Feb. 25. SIR EDWARD ASTLEY desired that the Acts respecting the trying of controverted elections by Committees might be read, which being complied with, he moved, "That leave be given to bring in a Bill for making the said Acts perpetual." He made a short speech in favour of the Bill, hoping that the House had seen the utility of it, and said, he thought it a duty he owed to his constituents to make so valuable a blessing perpetual. He made an apology for his not being able to speak so much on the head as he could wish, owing to his ill state of health.

Sir John  
Molesworth.

SIR JOHN MOLESWORTH seconded it; he said, Administration had been opposers of this Bill from its first origin, but he hoped no Member could be found now so destitute of principle as to give his negative to the question; if there were any, their names ought to be exposed to the publick, as the encouragers of venality and corruption. He said, a chief motive of his wishing to perpetuate it now was, that, on the general election, possibly a number of young men might come into Parliament, who, knowing nothing of the merits of the Bill, or who might gain their seats either by weight of purse or a Treasury order, would, on the least application from the Minister, give their vote for repealing it. He said, he had an Honorable Gentleman in his eye who could tell the House a good story, which, he made no doubt, would divert them.

Lord North.

LORD NORTH said, he thought the Honorable Members had been too free in asserting, that every person, who gave his negative to the question, was an encourager of venality. He said, no man disclaimed venality more than himself, nor could any man respect the Right Honorable Gentleman (the late Mr. Grenville) more than he did while living, nor revere his memory more now dead. That he looked upon him to be a great political character; but he was certain he never intended this Act to be perpetual; he only meant it as a temporary and experimental Act; that no proper experiment had, or could be made, until after the general election: that if it was then found sufficient to answer the end it was made for, he should not be against its being continued; but he thought now a very improper time to perpetuate it, as we had not yet any proper experiment of its utility. He used no other arguments for his objections, and concluded his speech jocularly, saying, the Hon. Gentleman (Sir John Molesworth) had paid a great compliment

ment to the present Parliament, by supposing no other would render the people so essential a service as making this Act perpetual.

Mr. T. TOWNSHEND said, the noble Lord, as usual, Mr. T. Townshend when in a bad cause, had forsook argument, and endeavoured to divert the House with some of that wit of which he had such an abundant share; but he thought the noble Lord had expressed his esteem for the late Mr. Grenville in an odd manner, by voting against his Bill while living, and opposing it now the author was dead. He said, how many trials would the noble Lord have of the virtues of the Bill before he gave his consent? Had there not been five already, and had not the decisions of them always been just? a thing which never happened by the former mode, which was twenty or thirty Members attending, and possibly half those asleep during the examination of the evidence; but immediately as the question was put, down stairs came tumbling a number of Members who had not heard a word of the trial, and whose only excuse for voting as they did, was, they were not in their senses! He said, the Bill was founded on such just principles, that it must and it should be made perpetual. He was extremely severe on Administration, and arraigned their conduct throughout in a spirited manner.

Mr. S. FOX said, he should oppose the Bill being made perpetual now, not out of any disregard to the author, but he thought with the noble Lord sufficient trial had not been made; and as the Act was made to cover the general election, let us see how it would answer its purpose then; if it was good, he would consent to its being continued for another limited time; and if it was bad, it would expire of itself. Mr. S. Fox.

Mr. T. TOWNSHEND replied to him in a very severe manner; the Honorable Gentleman's arguments before were Mr. T. Townshend generally manly, but now he had made use of as bad as the Honorable Gentleman his brother generally did, for whose unprecedented conduct he could make no allowance but his youth and inexperience.

Mr. JENKINSON said, he entirely agreed with the noble Lord that the Act was intended only as an experimental one, and as such he thought sufficient trial had not been had, and he doubted much whether it would not be found defective on trying a county election, he should therefore be against its being made perpetual. Mr. Jenkinson.

Mr. JAMES GRENVILLE, Jun. said, he very well knew Mr. James Grenville. his uncle's intentions, when he made the Bill, were for it to be perpetual, but he found a difficulty in it, and rather than the people should lose so valuable a blessing, he consented to make it for a limited time, not doubting but the utility of it would soon be seen, and then it would be made perpetual. He said,  
his

his uncle never intended it as an experimental Act, for, before he offered it, he was well assured it would answer; he replied to all Lord North's objections in a very spirited and pointed manner, for which he was afterwards applauded by every person who spoke.

Sir George  
Young.

SIR GEORGE YOUNG said, an Hon. Member (Sir J. Molesworth) had said he could tell a good story, he would inform the House what it was: a short time since, passing through a borough in Hampshire, he saw several men with cockades in their hats; on his return, seeing more of the cockades, he asked his landlord the meaning, who replied; "Sir, I suppose you have heard of the decision of the Worcester election, it has entirely stopt all trade here; for before we had two agents down from London, who gave and spent large sums of money, by which means the whole town was alive; but what, Sir, is still worse, we hear the House of Commons intend making that d—n'd Act perpetual; if so, our town is ruined, for our chief dependance is on the bounty of those gentlemen that come canvassing, and I am certain we shall never have any more come, if that Act should pass." He said, from this story we might judge what an effect the Act already had upon those who had been guilty of bribery, and he made no doubt that if the Act was now made perpetual, it would deter, in a great measure, any bribery at the general election.

Mr. Ward.

Mr. WARD was much against the old method of trying elections; he said, the Hon. Member (T. Townshend) was right concerning the Members coming to vote on those occasions fointoxicated from Arthur's, or Almack's, that they could scarce stand. They seldom heard a word of the evidence, and yet gave their vote: in the present method, he said, such disorder could not happen, for the Committee was to sit from day to day, until the whole evidence was gone through, and their conduct was liable to the inspection of the publick, which would keep them in awe.

Mr. Freeman.

Mr. FREEMAN said, he foresaw that, after a general election, when possibly twenty or thirty petitions, complaining of undue elections, were presented, it would be impossible to try them by the present mode in less than the whole sessions, as the Act allowed but one Committee to sit at a time; he should therefore be for the Act continuing to the time it was limited, and not make it perpetual now, as it was imperfect.

Mr. Charles  
Fox.

Mr. CHARLES FOX said, he should oppose the Bill, not from the principles the noble Lord did, because he respected its author; no, he despised such mean, base, and treacherous conduct; but from a proof that it would be parting with the power and privileges of the House; that if any person, how-  
ever

ever unqualified, was to get a majority of votes, by this Act we should be obliged to admit him as a Member, and it would lay in the breast of the King and Lords whether the House should have any redress. He was extremely severe on the noble Lord throughout the whole of his speech.

COLONEL BARRE, amongst a variety of other particulars, said, he sincerely hoped Lord North would not insist on the abolition, and call forth his Ministerial influence to carry a measure so obnoxious to the independent part of the House; but that, should his Lordship make a point of opposing the Bill effectually, he felt himself so warmed with enthusiastick zeal for the measure, that he would speak such things to the House as should make the gentlemen in office tremble. This the Colonel declared he should do, regardless of danger or any personal inconvenience.

Mr. AUBREY—I shall naturally be expected to favour this motion, from the acquaintance I had, very honorable to me, with the author of the Bill before us. For could there be a doubt of its utility, yet the impression which his great knowledge and integrity had made upon all who personally knew him, would alone incline them to respect any plan modelled by him. But were all personal motives removed, I could not help giving my testimony of approbation to this last act of that great Statesman, who, unhappily for this country, is now no more. He has, however, left us this Bill, which I trust, from its importance in securing the rights of the people, will be considered as an inviolable legacy to us and our posterity.

The reasons upon which it is founded is well known. The power invested in the whole House of deciding elections was liable to abuse. Votes were determined rather by the influence of parties, than by the merits of the cause: and there cannot be a stronger proof of this, than the thinness of the House in the course of evidence, and the crowds that rushed in at the close of it to give their suffrages to that they could not have examined; insomuch that, in the other House, a late noble Peer, of a very distinguished character (Duke of Argyle) called us, in derision, that tribunal where there are few to hear, but many to judge.

To remedy these mischiefs, the present Bill was framed. And though many gentlemen, in the course of this debate, have laid much stress upon the circumstance of the time for its expiration being limited by the author of it, yet I can take upon me to assure the House, from my own knowledge, that he never meant it as a Bill of experiment. The fact is (and I can appeal to some gentlemen now in the House to bear me witness in the assertion) that Mr. Grenville originally intended to make

make this a perpetual Bill ; but, in compliance with the opinions and solicitations even of his friends, who feared, that, by attempting too much at once, as the subject was as new as it was important, they might lose the whole ; and that there might be no complaint of its being hastily obtruded upon the House, he modestly recommended it only upon trial. And I look upon this as a strong argument of his own conviction, that a trial would only strengthen and establish it. How soon this trial would be made could not be foreseen. It was therefore necessary some period to it should be fixed. But it is clear that a trial has already sufficiently been made in the opinions of many, otherwise we should not have met to-day to debate upon this motion. Has not this Bill proved in fact what it appeared to be in speculation ? Has not the decision of every Committee been so impartial and just, as to meet with the applause of the whole nation ? I am one of those, Sir, who will venture to appeal in particular to that of the Shoreham election. For, whatever may be the opinion of some gentlemen concerning it, it so far received the sanction of the whole Legislature, as to be followed by an Act of Parliament, which I hope to see the great land-mark for future Committees to steer by on all similar occasions.

The Hon. Gentleman (Mr. C. Fox) who spoke last but one seemed to think, that the House, by this Bill, parts with a power it ought to maintain. Others, perhaps, may go still further, and urge the common maxim, that the abuse of a power is no argument against the use of it. This I acknowledge to be true in any one particular instance ; but I cannot help thinking, that the frequent and constant abuse of any power is the strongest argument for its total abolition. I leave it to the memories of the oldest Members of the House to make the application.

It is therefore a power which no honest man would wish to see continued with us. It likewise makes us subject to the influence of a party, which, whenever justice is concerned, can never be exerted but to bad purposes. For how could equity prevail, when every dissent from a friend was held a breach of friendship ? On the contrary, this Bill leaves every man independent of party claims ; both him from whom it takes the power, and him to whom it gives it ; for the latter being bound by his oath, has nothing to listen to but evidence.

Some gentlemen have objected, that, after the next general election, petitions will probably be so numerous as to embarrass a Committee with a series of tedious examinations. If this objection should appear well grounded, why may not several Committees be appointed at the same time ? The principle

ciple of the Bill is, I believe, universally admitted. For the sake of this, therefore, let it be perpetuated; as it will be always open to amendments, and whatever may be the inconveniences of its present mode, I am sure there can be none so shocking in a case of justice and equity as the short question.

A noble Lord (North) who spoke early in the debate, expressed his surprise that gentlemen on this side of the House should think so well of this Parliament as to choose to trust the fate of this Bill with it. Sir, with regard to what the noble Lord alludes to, I am bold to say, there is no man in this House that can more disapprove of some of its past decisions, particularly that of the Middlesex election, than myself. But I am, at the same time, willing to acknowledge its merit, whenever I can. When, therefore, the noble Lord asks why we need establish this Bill during the present Parliament? I answer, this House of Commons first brought it to light. This House of Commons has experienced its utility. Let us not leave it to another to confirm it. Upon the whole, I cannot help saying of this Bill, what its great author, in the warmth of his zeal and affection, said of the House of Commons itself, *esto perpetua*.

Mr. De Grey, jun. spoke a few words against the Bill.

CAPTAIN PHIPPS, in a long and animated speech, said, Mr. Phipps. no person could object to the old mode of trying elections more than he did, for it was an insult to common sense to call themselves a Court of Judicature, on several elections which he had seen tried, to one of which he was applied to attend, but gave his vote against his friend, for which it was said he used him ill. He said the House used always to be a scene of confusion, during the trial of an election, and, if the petition was founded on bribery, it was laughed at. He afterwards spoke much in favour of the present method, and said, he agreed with the Hon. Member who seconded the motion, that any person who objected to it was an enemy to his country.

COLONEL BURGOYNE, in a spirited speech, set forth Col. Burgoyne. the utility of the Act, said, the plunder of Asia had been distributed about this country in such a manner as made it necessary for some stop to be put to the growing evil, otherwise no natural interest or merit would ever be able to gain a seat; he therefore sincerely wished the Act might be made perpetual, as it would deter many a young Nabob from squandering away his fortune, in hopes of a seat at the general election.

LORD GERMAINE said, he well remembered the iniquitous proceedings on former trials of elections, the parties used to apply to one set of the House to be their Managers, another set to give their Attendance and Interest; to a third set, with

whom they were intimate, they would apply for their Vote; and to the lazy part of the House they would say, 'We won't trouble you to attend the dry examination of a parcel of mean evidences; only let us know where you 'will be, and when the question is going to be put, we'll send you a card.' Such were the proceedings of former trials; and he was certain, every Member, who had seen both methods, would give the preference to the latter. As to the arguments used by the Honorable Gentleman (Mr. C. Fox) they needed but little reply; for it was absurd to think the House, by this Act, gave away their privilege, as every Member had a chance of being one of the Committee, if he chose to attend. It was ridiculous to say that the Act was defective, and let it pass on so until the term it was made for. No, let it be made perpetual now, and if there were any amendments to be made, they could be made afterwards; it was dangerous to let slip such an opportunity, as not knowing who would be Minister at the expiration of the Act; he might be a great enemy to the Bill; and as for a person saying, 'let the Act go on as it is now, when its time expires, I will not be against renewing it;' he would be bound to say they would not have it in their power to give a second opinion on it, if they let the present occasion slip them; he said, the author of the Bill had preserved a good name while in office, and when out; and he sincerely hoped the noble Lord would endeavour to have his name handed down to posterity with the same honor as Mr. Grenville had.

Mr. Ellis.

Mr. WELBORE ELLIS said, it was highly ridiculous to make this Act perpetual now, though he loved the Bill: for as the noble Lord (North) had said, a proper trial of its merits had not been made, and it was consistent with the rules of the House in all commercial Bills to make them temporary, until proper proof had been made of their utility: he said, the encouragers of the Bill had endeavoured, with the zeal of lovers, to protect it, but he was confident it would deceive them at the last.

Mr. Dunning.

Mr. DUNNING made an apology for his cold, and said, no person had a juster right to be against the Bill than himself, for it had hurt him much in his professional capacity; for, since the Act had been put in execution, not one trial had come into Westminster-hall; and he was confident, was the Act made perpetual, there never would be one; yet he would always sacrifice private emolument to publick good: he expatiated much on the merits of the Act, and he would venture to say, at a general election, it would be found (even with all its defects as had been stated) a glorious Act.

Sir Gilbert Elliot.

SIR GILBERT ELLIOT made a long speech of the privileges



leges of Parliament in the reign of Elizabeth, but mentioned not a word of the merits or demerits of the Bill, only said, he should oppose it now.

Mr. EDMUND BURKE was at once satirical, masterly, and Edmund Burke.  
eloquent. He attacked the Minister in the most pointed terms; called upon his boasted honesty to support the perpetuity of the Bill; he said, though the noble Lord was daily deserted by numbers, he would still be deserted by more, for there were men in that House, not like the Minister, tired of being honest. In addressing the House, he said, we have the noble Lord now, let him not slip through our fingers; trust not to his specious promises a single hour; his smooth-tongued plausibility is calculated only to deceive; let us at once finish the business by making the Bill perpetual; and if it stands in need of amendments, they can be considered afterwards, but let us have no shuffling off, no delay, no previous question.

THE SOLICITOR GENERAL, in a long and masterly Mr. Wedderburne.  
speech, expatiated on the foundation of the Bill; he was very severe on Mr. Charles Fox, who, he said, had dreadful apprehensions of losing his privileges; but did he think, if an old woman was to petition the House, her petition would be referred to a Committee; and if it was, could he have any apprehensions from the decisions of the Committee? No. But if the young gentleman was not of such an obstinate disposition, he would endeavour to convince him of his error. He concluded with wishing the Bill might be made perpetual.

THE ATTORNEY GENERAL spoke much against the Bill Mr. Thurlow.  
being made perpetual; he attempted to ridicule the methods prescribed by it; he said, what was the word Nominee, but Manager; and contended that a person stood no better chance of having a fair decision from the present method than he had from the former.

Lord George Cavendish answered the whole of his objections in a very spirited manner, and reminded him that both the judges and evidences were on oath by the present method, which they were not in the former.

Mr. Stanley made nearly the same objections to the Bill as Lord North.

Sir George Saville, in a long and animated speech, went through the whole of their objections, which, he said, amounted to nothing; he afterwards expatiated much on the merits of the Bill, and was for its being made perpetual.

Sir William Meredith spoke much in favour of the Bill, but was averse to any reflections being thrown on the noble Lord (North).

Mr. Dowdeswell spoke in favour of the Bill, and mentioned the decision of the Worcester election.

Mr. Rigby. Mr. RIGBY was greatly against the Bill, and contended that treats ought to be given at elections; he said, the Act would suit the elected, but not the electors: he was much against the decisions that had been given by the different Committees that had sat; he said they had disfranchised Shoreham and not Worcester, which was much more corrupt than the former: and mentioned another instance which happened at New Windsor; he said none of those practices were so infamous as those practised by people who had burgage tenures.

Serjeant Glynn answered him very smartly, and was much in favour of the Bill being made perpetual.

Mr. G. JOHNSTONE. GOVERNOR JOHNSTONE said, Mr. Speaker, I should not rise at this late hour of the night, if I did not think I had something new to say on the subject, notwithstanding it has been so much exhausted. I therefore beg the House will indulge me, by hearing a few words as the reasons for my vote.—I conceive the Bill, as it now stands, to be a most beneficial Bill; so far from altering the Constitution, I think it is only recurring to the first principles of our government, trial by jury. Nevertheless, I should deem it arrogance to pronounce decisively upon any regulation of government, however flattering, on general principles, without a sufficient experience, so various are the springs of human action. If this question, therefore, could be discussed and determined with equal fairness, at the expiration of the term limited by the Bill, I should certainly wish to give it the trial originally proposed; but, since that is impossible, as I apprehend, I shall now vote for making the Bill perpetual.

My reasons for believing it hardly possible the Bill shall receive a fair decision on its merits and experience, three years hence, are these:

It is clear this Bill diminishes the power of the Minister in all controverted elections; at a general election, it may be calculated at not less than thirty members. Unless, therefore, we can suppose he shall prefer the publick good to his own interest (which I will never suppose of any Minister), he will endeavour to get rid of the Bill by every insidious art. We must all be sensible of his power and opportunities, and therefore we should embrace this happy moment of rendering the task more difficult, especially as it always remains in the breast of the House to make such alterations as may be necessary, and even to annihilate the Bill, if it should (contrary to the experience we have already had, and to all human foresight) prove pernicious.

I here

I here lay down my axiom—"This Bill is contrary to the interest of the Crown or the Minister." And with all due deference to the memory of Mr. Grenville, I believe if he had been Minister that he would not have proposed it; nay, I believe that he would not have permitted it to pass. A happy coincidence of circumstances forced it on the House. A strange coalition of parties now favours its final confirmation, before men dare forget their former declarations, and before the golden bridge is completely formed to pass them through the ivory gate.

Another reason strikes me stronger. If the Bill is permitted to run to the last stage, notwithstanding this House may then pass it unanimously, the House of Lords may reject it. Every man must feel the difference between reviving a Bill when expired, or keeping it alive when yet existing. In the same manner we must see the difficulties between destroying a Bill, and permitting it to fall in the prescribed course. It is like murder and a natural death. I think, therefore, we should look to the preservation of this Bill in due time, that in case the Lords should prove refractory, or Ministerial arts should be practised upon them, we may have time to enforce our wishes respecting this Bill by the means the Constitution has put in our hands.

I see a Right Honorable Gentleman laugh (Mr. Rigby); this puts me in mind of another argument; he has boldly declared his objections to the principles of the Bill. It is probable he may become Minister of this country. I am sure he has my good wishes; but that I may wish it with all my heart, I desire this Bill may be perpetual, that I may have no reserve in the good-will I bear him. For these, and many other arguments which have been already used, I heartily concur in the motion.

Mr. DEMPSTER said, it was needless to compare the difference between the present and former methods; for those <sup>Mr. Dempster.</sup> who would oppose this Bill would not hear any reason.

The question was put, "That leave be given to bring in a Bill to make the present Act for trying Controverted Elections, by Committees, perpetual."

For the Bill, 250. Against it, 122. Majority, 128.

The House broke up at twelve o'clock.

**A CORRECT LIST of those Gentlemen who voted for PERPETUATING the ACT for regulating the TRIALS of CONTROVERTED ELECTIONS.**

Charles Allanson	C. W. Cornwall	Rose Fuller
Benj. Allen	Tho. Coventry	Rd. Fuller
Charles Ambler	Sir C. Cocks	Samb. Freeman
Lt. Gen. Acourt	Sir J. H. Cotton	T. E. Freeman
Sir Edw. Astley	Rd. H. Cox	Alex. Garden
J. Aubrey	Brafs Crosby	Bamber Gascoyne
Edw. Bacon	T. E. Creswell, jun.	Lord G. Germaine
Wm. Baker	Hen. Curwen	J. Glynn
If. Barre	Sir B. Cust	Ambrose Goddard
Miles Barnes	Hon. J. Damer	Wm. Greaves
Nat. Bailey	Hon. G. Damer	James Grenville
R. H. A. Bennet	J. Damer	Sir J. Griffin
Rich. Benyon	Sir C. Davers	Wm. C. Grove
Lord B. Bertie	Hen. Dawkins	Sir Wm. Guise
Sir W. Blacket	Geo. Dempster	Tho. Halfey
J. Bond	Hon. C. Dillon	Tho. Hampden
Rd. Wm. Bootle	Earl of Donegal	Wm. G. Hamilton
Ed. H. Boscawen	R. Hon. W. Dowdeswell	John Hanbury
Charles Brett	Lord Visc. Downe	M. B. Hawke
Mat. Brickdale	Wm. Drake, sen.	Lt. Col. Hay
Sir H. Bridgeman	Wm. Drake, jun.	James Hayes
Sir B. Bridges	Tho. Dummer	Rob. Hepburn
J. Buller, jun.	John Dunning	Hen. Herbert
Maj. Gen. Burgoyne	Sir T. Egerton	J. M. Heywood
Edm. Burke	Maj. Gen. Evelyn	Noel Hill
Wm. Burke	Wm. Evelyn	Hon. G. Hobart
R. H. Fred. Bull	J. Elwes	Rowland Holt
Nic. Calvert	Wm. Ewer	Lt. Gen. Honeywood
J. Carnac	Tho. Fenwick	Benj. Hopkins
J. Cater	Paul Fielde	Beaum. Hotham
Lord G. Cavendish	Sir J. Filmer	Lt. Gen. Howard
Lord F. Cavendish	Earl of Fife	Hon. T. Howard
Lord J. Cavendish	Savile Finch	Sir H. Houghton
H. Cavendish	Hon. T. Fitzmaurice	Lord Visc. Howe
Nat. Chomley	Hen. Fletcher	Hon. Maj. General Howe
G. B. Clarke	Tho. Foley, sen.	Geo. Hunt
Sir T. Clavering	Visc. Folkstone	Wm. Hufsey
Sir Rob. Clayton	Tho. Fonnereau	Phil. Jennings
Wm. Clayton	Sir T. Frankland	Geo. Jennings
George Clive	Wm. Frankland	Geo. Johnstone
Sir Wm. Codrington	Maj. Gen. Frazer	Lt. Gen. Irwin
Wen. Coke		

A. J. Keck	Rd. Pennant	Rt. P. Taylor
Lt. Gen. Lambton	Sir James Pennyman	J. Tempest
Dan. Lafcelles	Ch. Penruddock	Earl of Thomond
Ed. Lafcelles	Earl Percy	Beilby Thompson
Pet. Legh	Lord Pigot	Hen. Thrale
Wm. Lemon	Hon. Capt. Phipps	Hon. T. Townshend
Lord G. Lenox	Thomas Pitt	R. H. T. Townshend
Benj. Lethieullier	Wm. Plummer	James Townsend
Lord Vis. Lisburne	J. Plumtree	Clement Tudway
Tho. Lister	Alex. Popham	Cha. Turner
Sir James Long	Tho. Pownall	Earl of Tyrconnell
Rd. Lowndes	H. M. Praed	Ch. Van
Sir James Lowther	Rt. Pratt	Wm. G. Vanneck
Earl Ludlow	Geo. Prcfcot	Art. Vanfittart
Hon. T. Lyon	J. Pringle	Earl Verney
J. Luther	Wm. Pulteney	G. V. Vernon
Jof. Martin	Phi. Rashleigh	Sir F. Vincent
Hon. C. Marfham	Rt. Hon. G. Rice	R. T. Walsingham
Joshua Mauger	Sir M. Ridley	Rt. Waller
Sir Joseph Mawbey	Mat. Ridley	Rolle Walker
Sir Wm. Meredith	Denys Rolle	J. Walsh
Rd. Milles	John Rushout	Sir P. Warrender
Geo. Medley	Nat. Ryder	Hon. J. Ward
Paul Methuen	Ant. St. Leger	Wm. Weddell
Sir J. Molefworth	Sam. Salt	Alex. Wedderburne
Col. Molineux	Sir G. Saville	James Wemyss
Hon. J. Montagu	John Sawbridge	Viscount Wenman
Fred. Montagu	James Scawen	Tho. Whitmore
Cha. Morgan	Thomas Scrope	Sam. Whitbread
John Morgan	Hen. Seymour	James Whitshed
James Murray	J. Smith	Rd. Whitworth
Geo. Musgrave	J. Skinner	Sir H. Williams
Rd. Myddleton	Edw. Southwell	Watkin Williams
Arnold Nesbit	Lord C. Spencer	Tho. Willoughby
Sir R. Newdigate	Fred. Standert	Mat. Wildbore
John Norris	Sir John Stepney	Wm. Woolaston
Fletcher Norton	Hen. Strachey	Sir C. Wray
Rd. Oliver	John Stewart	Sir W. W. Wyndham
Js. T. Oswald	Sir Sim. Stewart	Hon. J. Yorke
Hugh Owen	L. Sullivan	Sir G. Yonge 250
Rt. Palk	Lord G. Sutton	TELLERS.
Earl of Panmure	Sir Rd. Sutton	Lord Guernsey
J. Parker	James Sutton	George Byng.

A CORRECT LIST of those Gentlemen who voted AGAINST  
that Measure.

Robert Adam	Hon. Hen. Fane	Sir G. Osborn
Wm. Ashburnham	Hon. R. Fitzpatrick	Visc. Palmerston
A. Bacon	H. M. G. Ch. Fitzroy	Gen. Parker
T. Barret	Sir Robert Fletcher	Col. Phillipson
Visc. Barrington	Hon. Stephen Fox	Henry Penton
Sir E. Baynton	Lord Visc. Gage	George Pitt
Ld. Robert Bertie	Sir S. Gideon	Griff. Philipps
Charles Boon	T. Gilbert	A. Powlett
Thomas Bradshaw	M. G. F. Grant	Admiral Pye
Hon. J. Brudenell	Col. James Grant	John Purling
G. B. Brudenell	Hon. J. Grey	Lt. Col. Rainsford
Richard Bull	Walden Hammet	Thomas Rumbold
Sir C. Bunbury	Richard Harcourt	Rt. Hon. R. Rigby
Sir H. Burrard	Sir C. Hardy	John Robinson
Pet. Burrell	James Hare	H. Lt. Col. St. John
Hon. C. S. Cadogan	William N. Hart	Hon. J. St. John
Col. Calcraft	Rt. Hon. T. Harley	C. F. Scudamore
Rt. H. Lord F. Campbell	Lt. Gen. Harvey	Earl of Sefton
Tim. Cafwall	Sir G. Hay	George Selwyn
Robert Child	Ld. V. Hinchinbroke	William Skryne
Major Gen. Clinton	Richard Hopkins	Rt. Hon. H. Stanley
Sir James Cockburn	Richard Jackson	Hans Sloane
Grey Cooper	Rt. Hon. Ch. Jenkinson	Philip Stevens
Sir Eyre Coote	J. Jenkinson	John Stephenson
Rt. H. H. S. Conway	Soame Jennings	William Stewart
Hon. Major Conway	William Jolliffe	Richard Symonds
J. Crauford	Whit. Keene	Lord Rt. Spencer
T. E. Crefwell, sen.	D. Kennedy	Charles Townshend
Per. Cust	Benj. Langlois	Edward Thurlow
John Dodd	P. Leigh, of Ilchester	J. Tucker
Tho. De Grey, sen.	Edward Lewis	Richard Vernon
Tho. De Grey, jun.	Sir A. Levingstone	Charles Vernon
Capt. F. Wm. Drake	Rt. H. J. S. McKenzie	James Wallace
Jn. St. Leger Douglas	Sam. Martin	Hon. T. Walpole
Rt. H. Sir L. Dundas	Lord Melbourne	Nat. Webb
T. Dundas, jun.	James Montgomery	Sir C. Whitworth
Sir Wm. Dolben	John Moreton	Sir T. Wynne
James Durand	Hon. Col. Murray	Glynne Wynne 122
Arch. Edmonstone	William Norton	
Lieut. Col. Egerton	Lord North	TELLERS.
Rt. Hon. Sir G. Elliot	Rt. Hon. Ld. Ongley	R. Hon. G. Onflow
Rt. Hon. Welb. Ellis	George Onflow	Hon. C. J. Fox.

February

February 28. The **SPEAKER** acquainted the House, that he had received a letter from John Roberts, Esq. desiring leave to withdraw his petition, complaining of an undue election and return for the city of London.

**ALDERMAN HOPKINS** made a genteel apology for the trouble he had given the House on Mr. Roberts's account; <sup>Ald. Hopkins.</sup> said, He was averfe from the first to any petition being presented, as he was confident the present sitting Member was a gentleman of such honor, that he would not make use of any unfair means to gain a seat. That he could wish the Honorable Gentleman (the Lord Mayor) was present, as he would entirely acquit him (Mr. Hopkins) of any partiality in the said business; and he wished to acquaint the House, that he only presented the petition as a Member, by the desire of Mr. Roberts, whom, he said, had not acquainted him with any intentions of withdrawing it. He concluded with wishing the Lord Mayor health and prosperity to enjoy his seat for life.

A petition was presented from Liverpool, setting forth, That they annually sent persons to reside in London during the session of Parliament, in order to be informed of any transactions that might affect the trading part of the nation in general, and Liverpool in particular; that the sending of such persons was very expensive, and praying Parliament to give them authority to impose a tax upon all goods imported and exported to and from Liverpool, in order to raise a fund to defray such expences, and others as might accrue.

**Mr. GASCOIGNE** was particularly severe against the petition; he said, He thought taxes sufficient were already laid <sup>Mr. Gascoigne.</sup> upon trade, more than it could well bear; and if Liverpool must send people up to attend Parliament, let the corporation defray their expences, and not impose a tax upon merchants of all countries, to defray a whim of that corporation. He said, they had desired leave to raise a fund to defray the expence of sending persons to attend Parliament, and other purposes. Now those other purposes might be to bribe at elections, oppose the customs or excise, or any other such illegal proceedings; he therefore thought it an unprecedented petition, and should be against it.

**SIR WILLIAM MEREDITH** spoke a few words in favour <sup>Sir William Meredith,</sup> of the petition, setting forth, That Bristol did the same.

On the question being put, whether it should be referred to a Committee, the House was almost unanimous against it; but Sir William Meredith demanded a division, which was accordingly granted, and carried against him by a great majority.

Sir FRANCIS VINCENT presented a petition from several victuallers in the county of Surry, complaining of the licences being refused to be renewed by his Majesty's Excise Office, on account of their being signed at the petit sessions by Sir Joseph Mawbey, which they since found was contrary to law for any brewer, distiller, &c. to do.

Sir Joseph  
Mawbey.

SIR JOSEPH MAWBHEY explained the case, which was, That a number of people attended on the 1st of September last to have their licences renewed, and their being no other magistrate present than himself and Nicholas Dowe, Esq. he signed them with Mr. Dowe; but had always made it a rule, if any other magistrates were present, to let them sign licences, and not him. He said, he had little or no connection with any of the people, and signed their licences merely from necessity, no other magistrate attending but Mr. Dowe and himself.

Mr. Gascoigne was very severe, in a jocular manner, on Sir Joseph, for being a magistrate and not knowing that such proceedings were contrary to law, and that he lay under a penalty for so doing.

Mr. ALDERMAN HARLEY presented a petition from the book-sellers of London, &c. setting forth, That many of them shall be ruined by the late decision in the House of Lords, unless some relief was given them.

Mr. Saw  
bridge.

Mr. SAWBRIDGE seconded the motion, saying, By a decision in the year 1769, in favour of copy-right, many of the booksellers had laid out their whole fortunes in that article, which right had now been taken from them by the determination of the Upper House; and if some redress was not given them, many families would be totally ruined.

Mr. LASCELLES presented a petition, upwards of ten yards long, signed by several hundred of the merchants and freeholders of the county of York, Lancaster, &c. praying leave to bring in a Bill to make a cut or canal from a part of Yorkshire, to join the canal now making from Leeds to Liverpool. It was objected to by two Members, as it would injure their private property, and setting forth, that ten out of fifteen landholders, through whose estates it would be cut, were against it.

A debate ensued, whether it should lie on the table, or be referred to a Committee. The last was agreed to.

Mr. Thur-  
low.

The ATTORNEY GENERAL presented a petition from Major General Fraser, praying to have those estates of his father, Simon Lord Lovatt, which were forfeited to the Crown, restored to him. He prefaced the petition with a long panegyrick upon the



the Major, who, he said, was sent early to Scotland, where he was educated under masters who had a professed regard for the late King; that in the late rebellion Lord Lovatt insisted on the Petitioner's taking up arms on the same side he did, although it was greatly against the Petitioner's will; that the Petitioner, after the rebellion, was offered a regiment in the French service, but he refused, and desired leave to be employed in the service of his late Majesty, where, in the beginning of the last war, he raised 1800 men, and had sacrificed his blood and fortune in support of the Crown in America.

LORD NORTH desired to acquaint the House, That the Lord North. petition had been shewn to his Majesty, and he strongly recommended it.

Mr. T. TOWNSHEND said, He had no objections to this, Mr. T. as it was a particular case, but he should be against its being Townshend made a precedent; he should therefore second this motion.

Sir ROBERT FLETCHER gave notice, That on Thursday se'night he should move for a Committee further to inspect the affairs of the East-India Company.

A considerable number of private petitions, bills, &c. were received, it being the last day.

Sir EDWARD ASTLEY presented the Bill for making the Act respecting the trying of controverted elections by Committees perpetual, which was read a first time.

The House went into a Committee (Mr. Robinson in the chair) to consider of allowing a certain quantity of flour, bread, and biscuit, to be exported to Newfoundland for the supply of the fishery, which was agreed to.

At six o'clock the order of the day was read for hearing counsel on the Selby Canal Bill.

Mr. Mansfield, counsel for the Bill, in a long speech, set forth the utility of the Bill. Evidences were called in, and examined. Mr. Lee was afterwards heard on the other side. The House rose at eleven, and adjourned the consideration of this Bill till Thursday next.

March 4. Lord North acquainted the House, That the papers relative to the late proceedings at Boston (destroying a quantity of tea) would be laid before the House on the 7th instant.

The order of the day for a further enquiry into the state of the linen manufacture was read. Sir John Wrottesley desired that it might be deferred for a day or two longer, as the American papers were coming on.

GOVERNOR POWNAL desired the same, as, he said, Governor Pownal. There were several other manufactures which were in great

apprehensions from the decision on the linen manufacture; that there were now people in town to desire longer time, from a county where the woollen branch annually amounted to 3,195,000*l.* of which 2,000,000*l.* worth was annually exported; that he thought so valuable a body ought to be heard.

General  
Conway.

GENERAL CONWAY opposed its being put off, and said, American affairs had nothing in the least to do with this; that they had only four evidences to call in, to prove the state of the linen trade in Ireland. Evidences were accordingly called in, who proved, that the trade had been on the decline of late.

March 7. The American papers laid before the House, and ordered to be read on the 11th.

March 10. In a Committee on the linen manufacture; Mr. Clements was examined, and confirmed the evidence he gave last year before the Committee, relative to the decline of the linen trade at Darlington, and its neighbourhood, in the county of York. He added some further circumstances relative to its still more rapid decline since that period.

Governor  
Pownal.

GOVERNOR POWNAL begged leave to lay before the Committee some very important information he had received from Ireland; he said, It was the report of a Committee of the House of Commons of Ireland, setting forth the claims that country had upon this to give it every possible encouragement in the improvement of the linen manufacture, exclusive of all others; and another report from the Linen Board, shewing the present state of it, the causes of its decay, and the probable means of retrieving it. He then produced a letter from Sir Lucius O'Brien, chairman of the Committee, in answer to one he had wrote to him on the subject, which accompanied the two reports. The first contained an historical account of the steps taken immediately subsequent to the Revolution, to render the linen manufacture the staple of Ireland, as the woollen was of England; the ideas had prevailed on both sides of the water to effect it; the line then drawn to prevent the interference in future between the two; the several Acts of Parliament made in both kingdoms in confirmation of this convention; and lastly, the period which first introduced a jealousy, which broke that mutual confidence subsisting between both kingdoms, in breach of the compact so religiously observed for the first three reigns succeeding the Revolution. The report from the Linen Board confirmed the parole evidence hitherto given at the Bar, relative to the state of the trade, the number of unemployed looms, the ruin of the manufacturers,

manufacturers, the decrease in the export, &c. &c. Besides these there were a variety of other motives assigned, such as a want of the natural growth of flax and flax seed, stagnation of credit, money spent by absentees, rise of rents, restriction, and discouragements by the British Parliament. The remedies proposed were, encouragements for the raising and cultivation of flax, collecting the duties on foreign linens in the spirit in which they were held as to the real value of the goods, construing some of the Acts of the British Parliament in a liberal manner, with almost an infinity of regulations, conformable to the idea which prevailed at the time Ireland relinquished all claim to the export woollen trade in favour of England.

Dr. Williamson of Philadelphia was called in. He said, 15,000 had migrated from Great Britain and Ireland within the last two years into Pennsylvania only.

March 14. LORD NORTH said, That his Majesty's mes- LordNorth,  
sage (which came and had been read with the American papers on the 11th instant, and at his request was now read again) contained two propositions; the one to enable his Majesty to put an end to the present disturbances in America, the other to secure the just dependence of the Colonies on the Crown of Great Britain. His Lordship observed, that the present disorders entirely arose, and were occasioned by the inhabitants of Boston in Massachusetts Bay; and hoped the method he should propose to the House would be adopted. He said, he should confine himself particularly to those disturbances which had been created since the 1st of December. He said, that it was impossible for our commerce to be safe, whilst it continued in the harbour of Boston, and it was highly necessary that some port or other should be found for the landing our merchandize where our laws would give full protection; he therefore hoped, that the removal of the Custom-house officers from the town of Boston, would be a necessary step; and that the consequence of that would produce one other proposition, which would be, the preventing any shipping from endeavouring to land their wares and merchandize there, by blocking up the use of that harbour; he said, he should move for leave to bring in a Bill this day for those two purposes. He observed, that this was the third time that the officers of the Customs had been prevented from doing their duty in the harbour of Boston; he thought the inhabitants of the town of Boston deserved punishment, and required animadversion; he said, perhaps it may be objected, that some few individuals may suffer on this account who ought not; but where the authority of a town has been, as it were, asleep and  
and

and inactive, it was no new thing for the whole town to be fined for such neglect; he instanced the city of London in King Charles the Second's time, when Dr. Lamb was killed by unknown persons, the city was fined for such; and the case of Edinburgh, in Captain Porteus's affair, a fine was set upon the whole; and also at Glasgow, where the house of Mr. Campbell was pulled down, part of the revenue of that town was sequestered to make good the damage. He observed, that Boston did not stand in so fair a light as either of the three before-mentioned places, for that that town had been upwards of seven years in riot and confusion; associations were held against receiving British merchandize so long ago. He observed, that all the disturbances that had been in the provinces or colonies in America, had originated in the town of Boston; and that proceedings were openly carried on from the beginning of last November to the 17th of December, denying the force or efficacy of the laws of this country to be exerted in the harbour of Boston; that during the above time, there was not the least interposition offered by the inhabitants of the town; that at their publick meetings they had regularly given orders for nightly watches to be appointed, consisting of a large body of persons, which were to prevent the landing of the tea, as the merchandize of Great Britain. This surely was highly criminal, and a direct opposition to the execution of an Act of Parliament; and as the tea belonging to the India Company had remained twenty days in the harbour without a clearance, they were afraid lest it should be seized by the Custom-house officers, and by that means landed; they therefore destroyed it on the 20th day. That this appeared to be a most violent and outrageous proceeding done to our fellow-subjects, by a set of people, who could not, in any shape, claim more than the natural privilege of trading with their fellow-subjects. That Boston had been ringleader in all riots, and at all times shewn a desire of seeing the laws of Great Britain attempted in vain, in the colony of Massachusetts Bay. That the act of the mob in destroying the tea, and other proceedings, belonged to the act of the publick meeting, and that though other colonies were peaceably and well inclined towards the trade of this country, and the tea would have been landed at New York without any opposition; yet, when the news came from Boston, that the tea was destroyed, Governor Tryon, from the advice of the people, thought that the face of things being changed since that account was sent, that it would be more prudent to send the tea back to England, than to risk the landing of it. His Lordship observed, that Boston alone was to blame for having set this example, therefore Boston ought to be

be the principal object of our attention for punishment. He proposed one clause in the Bill, which, he said, would prevent the Crown from restoring the re-establishment, till full satisfaction was made to the East-India Company for the loss of their tea. He said, he did not propose it by way of tax, but by way of requisition to the injured, who are our own subjects; and let it go forth into the world, that the Parliament of Great Britain will protect their subjects and their property; that the Crown, by that clause, will not even then be obliged to restore the Custom-house, unless his Majesty is thoroughly convinced, that the laws of this country will be better observed in the harbour of Boston for the future; this restitution entirely depended upon Boston alone. He should be happy to have those, who had been the promoters of these disturbances in Boston found out, and that they might be obliged to make good the damage to the India Company; but as those persons are unknown to us, Boston will, no doubt, endeavour to find out such persons, or pass Acts of their own Assembly, to levy such money in the most equitable and just manner. We have only to request it for the India Company. He said, that this Bill was not all he meant to propose, that other parts, of more nice disquisition, will remain for the future consideration of Parliament. There, perhaps, might be other methods proposed that were better than this; that he had as yet found out none that deserved a preference. Some persons had proposed, that the fishery might be taken away; but this, he observed, would affect the whole colony at large. Others proposed the Streights trade; and this would be liable to the same objection. That no method of punishment ever came from him, but with great regret: he therefore hoped for that unanimity in a vote of this sort, which would give a strength to the measure. It had been said, that we owe this proceeding of the Americans to our own ill conduct in taxing and repealing; but if Gentlemen would recollect, when the Stamp Act passed, there was hardly a dissenting voice; and when it was repealed, it had the consent of a great majority of that House; that the doctrine then laid down, that external duties were your right, internal taxes theirs; that when the repeal of the Stamp Act took place here, the clamour raised against that Act in America was over, and had subsided; that the non-importation agreements, it was true, were not remedied, because they ceased of themselves. It was my fate, he said, to propose the repeal of the duties laid on in 1767, and to continue the tea duty only. The reason was, I thought the non-importation agreements would break up of themselves, which was afterwards the case. It was proposed by some, that the

the tea duty should be taken off; it was urged by others; that it would then become a monopoly of the East-India Company: nor did I think, that the giving up the duty to the East-India Company of consequence enough to venture the struggle of the legislative authority of this country. If they could sell tea cheaper than any other people, they will certainly have the market to themselves. His Lordship observed, that at Boston we are considered as two independent States; but we were no more to dispute between legislation and taxation, we were now to consider only whether or not we have any authority there; that it is very clear we have none, if we suffer the property of our subjects to be destroyed. He hoped that all would agree with him, both Peers, Members, and Merchants, to proceed unanimously to animadvert upon such parts of America as deny the authority of this country. We must, he said, punish, controul, or yield to them. He did not wish to molest without an offence given, he therefore proposed this measure to day; and observed, if such conduct was followed, it would tend to cement that country to this, being as important to the one as the other; he therefore moved, "That leave be given to bring in a Bill for the immediate removal of the officers concerned in the collection and management of his Majesty's duties and customs from the town of Boston, in the province of Massachusetts Bay, in North America; and to discontinue the landing and discharging, lading and shipping of goods, wares, and merchandize at the said town of Boston, or within the harbour thereof."

When Lord North sat down there was a perfect silence for some minutes; but Mr. GROSVENOR got up, and condemned very much the proceedings of Boston; and said, they were all entirely owing to the repeal of the Stamp Act.

GOVERNOR JOHNSTONE desired to know, if it was to be left to the Crown to what part of America the Custom-house should be removed?

LORD NORTH said, a clause was intended to be inserted in the Bill to leave that matter to the Crown.

Mr. DEMPSTER observed, that should this indemnification to the East-India Company take place by way of tax, it would be collected over America, and thereby injure the property of people who had been entirely innocent of this affair; that when he spoke formerly so much about taxation in general, he meant not as to the right which we had, but only as to the prudence and policy of the measure.

Mr. SAWBRIDGE got up to speak, but the noise of the House being great for the question, he sat down, he said, till gentlemen had done coughing, and the House had done calling question;

question; that though he could not be heard now, he should fit coolly till he could be heard. The House being a little silent, he said, he always gave his genuine opinion, and that he was now, and always had been, of such opinion, that this country had no right to tax America; that it might be said by some people here, that America is not represented; that if this country had a right to take a single shilling out of an American's pocket, they have a right to take the whole. He then sat down a second time, the House being noisy, and said, though he could not be allowed to speak long, he could sit long; and observed, that this destruction of the tea was entirely done by a mob unarmed; and that if a requisition was to be sent to Boston to make satisfaction to the India Company, he made no doubt but what it would be complied with. He said, he was against the motion.

Mr. BYNG said, he only meant to ask the noble Lord one Mr. Byng. question, whether this measure was not preventing the English ships from trading there, and a punishment on ourselves.

Mr. R. FULLER said, the Bill brought in would shew Mr. Fuller. whether it was a punishment upon A or B; that he should reserve his opinion until he saw the Bill framed.

Mr. DOWDESWELL arose, upon which the House thought Mr. Dowdeswell. the debate would continue; he said, he thought they were going to do very great mischief, and should think it his duty to give his opinion in this early stage of the Bill; he said, this Bill was to punish the town of Boston; why will you punish Boston alone? Did not other towns send your tea back to England, and refuse the landing? Have they committed no offence? He asked, if there was any evidence of a general concurrence of the inhabitants of Boston; he said, the examples of punishment the noble Lord had mentioned were not similar to the present case; that the counties being obliged by law to make good the loss between fun and fun, was an old established law, not made for a particular purpose; that this Bill would be an *ex post facto* law; that the case of a corporation was different from the present; the corporation chose their own officers, the magistrates of the town of Boston are chose by the province at large. Would the House not hear what Boston had to say in its defence? Would the House condemn without evidence, in the absence of the parties? That he should trouble the House no more at present, he thought they were going to do a wrong act, nor could he think, he said, the cases of London, Edinburgh, or Glasgow, could at all be brought as examples of punishment in this case; he disapproved much of the Bill, and said, he should give a negative to it.

Mr. CAVENDISH rose to approve of the proposition in the Bill; but he hoped, that if the merchants of this country could any way be injured by it, that time would be given that they might come and petition.

Mr. PHIPPS said, he felt no reason to imagine, that any opposition to the Bill at Boston could be effectual; that it was no new thing to direct and order a port for the reception of trade of America; that harbours were in great plenty there; that all authority had been trampled upon in that country for many years; that if our subjects could not trade to Boston, they must go where they could trade with safety; that he did not attribute the disturbances to the Stamp Act, or repeal of it. When he was in that country, he thought that that Act might have been put in execution; that the repeal might be proper. He imagined, one of the provisions that would be adopted by the House, would be to repeal the Declaratory Act, which, he said, was the most absurd and unconstitutional Act that ever passed. Let America alone, and it would return of itself to obedience, and do not let us search for trifling taxes, by way of experiment, to try our power; the moment they see that taxation is not for effectually collecting of money, but for experiment only, they will always oppose you.

LORD G. CAVENDISH said, he was not sure but the object before the House would be prejudicial to our trade; that he looked to the mutual interest of the two countries; that they were united by proper measures, and, he hoped, they would be kept so; he wished that no idle ideas of superiority might prevail, for that country which is kept by power, is in danger of being lost every day.

COLONEL BARRE said, he was urged to rise to discharge his duty in not giving a silent vote upon the occasion. The proposition before the House, he said, he could not help giving his hearty and proper affirmative to; that he liked it, harsh as it was; he liked it for its moderation; and argued, that the noble Lord's (North) conduct would be of the same stamp throughout. He said, I think Boston ought to be punished, she is your eldest son. [Here the House laughed, and some Members observed by him, that he would be a proper person to direct the admission of Irish Members into the House, as he had hinted a day before that office for Mr. Rigby.] After the House had laughed heartily, he said, I mean your daughter, she is a noble prop; that she gave herself that form of constitution she now has; cherish and support her. He wished, he said, to see an unanimous vote in the first onset of this business; that when Boston saw this measure was carried by such a consent, they would the more readily pay the sum of money to the India Company;



Company; that he hoped, if they did, that the Crown would mitigate the rest of their punishment; if the Crown went further, perhaps they could not do it without, as Governor Tryon observed, at the muzzle of your guns; that we had given America limited and prescribed means to acquire wealth; that he hoped they would leave the rest of the matter to themselves; that he had often thought, in the coolest hours, that America ought not to be taxed by this country. Endeavour, says he, to take the power of taxing out of their Assemblies, and it will be strongly opposed; he meant not to stick to experimental taxes, the tax of the Stamp Act was made to please this side (meaning Mr. Grenville's friends) of the House. Go, says he, to some great request at once, and if they won't comply with it, try then your power. You have been paying 4,000,000*l.* for doing of nothing, only for teasing and scratching; I wish to see a fair decided line at once. I don't, says he, see any appearance of war at present; now is your time to try, in a civilized manner, your power over the Americans; other of your enemies are not in a condition to take part with them, I am not in office, that my advice can be taken; if I was I should give it freely. If office comes to me, it comes as an atonement for repeated and unmerited affronts. I shall, at all times, speak the language of a free and disinterested Member.

No division.

March 16. A petition from the merchants of London, trading to Hamburg, and other parts of Germany, Holland, and Russia, was presented, praying to be heard. Governor Pownall moved, that Mr. Glover, as agent, be heard at the Bar in their behalf, and it was agreed to. Mr. Payne, Governor of the Bank, was examined. He proved, that the importation of foreign linens had decreased 11,000,000 of yards in 1773.

March 18. Lord North brought in the Bill to remove the Board of Customs from the town of Boston. No debate.

March 21. The Bill read a second time.

Mr. R. FULLER said, the Bill would be the total destruction of this country, if passed; that, in his opinion, the mode of punishment ought to be altered to a fine of 20,000*l.* to the East-India Company, for the demolition of their tea, and another fine to his Majesty for damages done; and that he would recommend them to follow the examples mentioned of Edinburgh, Glasgow, &c. He concluded with saying, first fine them, and if they refuse to obey your orders, then put this Act in force.

A motion was then made, "That this Bill be now committed," which was carried in the affirmative without a division. No other debate.

March 24. Mr. Feilde reported from the Committee, to whom the petition of the booksellers of London and Westminster, on behalf of themselves and others; holders of copy right; and also the petition of John Christian Bach, and Charles Frederick Abel, on behalf of themselves and several other composers and proprietors of books, works, and compositions in music, were severally referred; that the Committee had examined the matter of fact contained in the first-mentioned petition; and had also examined the matter of the second-mentioned petition; and that the Committee had directed him to report a state of the facts contained in the first-mentioned petition, and also the matter of the second-mentioned petition, as it appeared to them, to the House; and he read the report in his place; and afterwards delivered it in at the Clerk's table; where the same was read.

A state of the matter of fact contained in the first-mentioned petition, is as follows; viz.

It appeared, that by an Act of Parliament, passed in the eighth year of the reign of her late Majesty Queen Anne, entitled, "An Act for the Encouragement of Learning, by vesting the copies of printed books in the authors and purchasers of such copies, during the times therein mentioned," it was, amongst other things, enacted, That, from and after the tenth day of April 1710, the authors or proprietors of such books as had been already printed, should have the sole liberty of reprinting and publishing the same for twenty-one years, and no longer; Then your Committee proceeded to examine

Mr. William Johnston, who had formerly been a bookseller, but had left off business; who said, he entered into business in the year 1748, and left it off in June last; during which time, he attended all the capital sales of copy rights: that, on his first entering into trade, he purchased the whole stock of books and copy right of Mr. John Clarke, for which he paid near 3,000l.; above one half of which sum was for copy right: that the sales are open to the whole trade; but he never knew any but booksellers apply to be admitted; that, from that time, he continued to purchase copy right to the amount of near 10,000l. more; and believed three-fourths of the books in trade had his name, as part proprietor, especially the old copies; the rights to which are expired, according to the Act of Queen Anne: that many of them had been printed above twenty-eight years; and that he never imagined the Act of Queen Anne interfered with

with the common law right ; and it was most undoubtedly the general idea of the trade, before the late judgment in the House of Peers, that the booksellers had a perpetual right in the copies they had purchased of authors, and their assigns, by the common law ; and, if any doubts had been entertained before the late determination of the Court of King's Bench, that judgment would certainly have removed them.

Being asked, Whether he did not claim a copy right in some of the editions of the Classics in *usum Delphini*? he said, No such right was ever claimed, so as to exclude any other person who chose to print them : that he had purchased the right of printing in part some of those Classics ; but never supposed that right protected by any law, nor considered it in any other manner than as the purchase of an honorary right ; which he explained to be a maxim held by the trade, not to re-print upon the first proprietor : that, in the sum of 12,000*l.* mentioned to be paid by him for copy rights, some shares in the Classics in *usum Delphini* are included ; but to the best of his recollection such shares do not amount in the whole to 100*l.*

Being examined as to the book called the Tatler, he produced Sir Richard Steele's assignment of the copy right ; and said, He had heard that the Tatlers were originally published in numbers as newspapers.

Being examined as to his title to a share in Cambden's Britannia ; he said, He never heard of, or saw, any assignment from Cambden ; that it was Bishop Gibson's edition of Cambden, of which he purchased the share ; that he knows not what bookfeller first printed Gibson's Cambden ; and has bought many shares in books without looking into the title.

That the purchase deed does not specify any assignment from Cambden, nor was it requisite ; that Cambden's original work was in Latin, and translated by Doctor Gibson, afterwards Bishop of London ; that he believes there were two or three editions printed of that translation, and one particularly within these four years, from a corrected copy of the late Bishop, which edition cost the booksellers 800*l.* and the edition before that, was eighteen years in selling off ; that the consideration given to Mr. Scott, for the copy with the said corrections, was only a few copies of the book, for presents to his friends ; that he never heard there was any assignment from Cambden, but has always understood that the translator of any work, is protected in the right to his translation by the common law.

That had he imagined a common law right not to exist, he should not have laid out so large a sum on a precarious title ; nor did he recollect ever to have heard the common law right talked of, till agitated in the Court of King's Bench ; that they  
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always took assignments from those of whom they purchased, which they supposed to be assignments of the common law right; and he produced an assignment of the Guardians, from Sir Richard Steele.

That he never heard of either common law or statute right being inserted in an assignment, but supposes and always understood, that when a man sells all his right and title for ever, it means a common law right, independent of any statute; and that is the idea on which the trade have always acted in purchasing shares of copy rights; and that he never saw a term of years mentioned in an assignment: that he purchased his share in the Guardians, at Tonson's sale, the 18th of August 1767, and Sir Richard Steele's assignment is in 1713, and that he had never met with any interruption in that right, since he purchased it.

That he never saw or heard of any assignment, where the second term of fourteen years, mentioned in the Act of Queen Anne, was reserved to the author; but that undoubtedly he gets more money for his copy for twenty-eight years, than he would for fourteen, and sells the chance of the reversion, when he assigns it for ever: that all the assignments he has ever seen, ancient and modern, run in general to the bookseller and his assigns, for ever; and some of them go so far as to bind themselves, their heirs and executors, to protect the purchaser, his heirs and executors, in the full and free enjoyment of such copy right for ever; and he produced to your Committee, the assignment of Doctor Robertson to Andrew Millar, of the History of Scotland; which appeared to be of that form.

Having mentioned several other books of which he had purchased shares, and, among others, Dryden's and Locke's works, he said, He had no assignment of Mr. Dryden, but bought it at Mr. Tonson's sale (and one of the assignments at Mr. Tonson's sale was produced)—That he had never seen an assignment of Mr. Locke's works, and never heard any question about it before; but he really believes there was an assignment, which belief he founds upon the practice of the trade; for that the person selling was never required to shew or deliver up the original assignment; for in the purchase of this property, they never enquire into the title, if they have an opinion of the seller.

That it is always presumed in the course of trade, that a long possession of copy is a proof of title from the original author; that sums to a very large amount have been laid out upon this presumption; and that he, in particular, should never have laid out so large a sum as he had done, if he had entertained any other idea of it; and that he never enquired into the length

length of time that the seller had been in possession of the copy, in case he thought the vender to be an honest man.

Being asked, Where a copy right is divided into many shares, where a person might learn the several proprietors of those shares? He answered, That when a book is re-printed, the general rule of the trade is, that the man who has the largest share makes up the account, and every person claiming a share in that work gives in his claim, and has his proportion according to his share; so that any person wanting to know who are concerned in such a work, by applying to the person who makes up this account, may get the information; and the person who makes up these accounts, sends written summonses to all whom he knows to be concerned.

That he knows of no prosecution at common law, against any person either in town or country, for printing any book unprotected by the Statute of Queen Anne; that such books have been printed, but there was a much easier remedy than an action at law, for by filing a Bill in Chancery, the booksellers always obtained an injunction, and by the answer given the bookseller could ascertain the damage he had sustained, as the defendants were obliged to declare the number they had printed: that he never made use of this remedy but once, which was in the case of printing the *Pilgrim's Progress*, written by John Bunyan, which was printed by one Luckman, of Coventry; who delivered up all the books, paid the expences, and promised never to offend again: that this affair was made up by private agreement, Luckman made the proposal, and the witness accepted of it: that the title he set up to the *Pilgrim's Progress*, was by purchase of the stock of Clarke aforesaid, among which was assigned to the witness, by Clarke's executor, the whole of the copy of the *Pilgrim's Progress*, but he did not look into the title which Clarke had to it; and that he can suggest no other reason for Luckman's delivering up the copies and paying the expences, than that he thought he was doing an unlawful act: that it is the custom of the trade, as he always understood, to prosecute offenders, in cases of piracy of copies, at their own private expence; and that the witness himself prosecuted at his own expence in two instances, the first about eighteen years ago, and the other about three or four.

That he never consulted any counsel in making the purchases of copy right, but laid out his money, upon the general opinion of the common law right.

Being asked, Whether, in the course of trade, the undisturbed possession of a copy right, by any bookseller, has not been deemed such a presumption of an assignment from the original author, as to warrant persons to lay out their money in the

the purchase of it? He said, He always was of that opinion, and never would have laid out the sum he did, if he had had any other idea of it.

That when an author chooses originally that his name should be concealed, no other proof than possession can be had of his assignment; or if the author chooses to make a voluntary present of his work to a bookseller, it would appear very inconsistent to ask such a thing; and upon the prevalence of such presumptions, original assignments are not always carefully kept, and transmitted from hand to hand, as titles, when the transaction has been a long time past, the nature of the trade not admitting of it.

That, had a doubt existed in the mind of the witness of the principle of the common law right, it would have been entirely removed by the frequent injunctions granted, unappealed from, and submitted to; and he certainly should have been the more inclined to lay out his money in copy right, and to have given larger sums for such purchases, upon the authority of such injunctions.

Being asked, If he knew any one injunction which turns upon the claim of common law right, independent of the statute? He said, He recollected but one, and that was Tonson and Walker, in regard to Milton's *Paradise Lost*: that he never took a lawyer's opinion of the common law right, because he thought it unnecessary; and never heard the question agitated till it came into the Court of King's Bench, and then three, if not four of the Judges were clear as to the common law right; there were two causes agitated in that Court, one, Tonson against Collins, when three Judges sat there, two of whom are dead, and one retired (Mr. Justice Dennison, Sir Michael Foster, and Sir Eardly Wilmot) and the opinion of the Court then was in favour of the common law right; and in the case of Millar and Taylor, in the year 1769, a judgment was obtained in favour of such right: that, in the said case of Tonson and Collins, the Court of King's Bench did not proceed to judgment, because (as he hath been informed within these two or three days, and collects from Sir James Burrough's reports) Lord Mansfield declared, in giving judgment in the case of Millar and Taylor, that the reason of the Court's not proceeding to judgment, in the case of Tonson and Collins, did not arise from any difference of opinion in the Judges of that Court, but because they understood that it was a collusive action.

That, upon his quitting business, he assigned his property in copy rights to his son, on condition he should be jointly bound with himself to pay all his creditors; who, not doubt-  
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ing of the validity of the security, readily consented to it. Upon which the copy rights were valued by Messrs. Longman and Cadell, two booksellers of the first reputation, at between eight and 9000*l.*; and the witness believes they would have sold for that sum in June last, when he quitted business; but that since the determination in the House of Lords, they would not sell for a fourth part of that sum; and had there remained a doubt in the mind of the witness of a legal property in those copies, exclusive of the Statute of Queen Anne, he should never have involved a son, who had a genteel fortune left him by his grandfather, to take them as a security for any debts the witness owed.

That if relief is not granted in the present session of Parliament, so many books will be printed, both in London and the country, as will make it impossible to grant the sufferers redress, without injury to the other publishers.

Being asked, What had reduced the value of the copy rights, between the time of his purchasing them and transferring them to his son? He said, That many circumstances contributed to reduce the value of copies: most books are capable of improvement, in all arts and sciences; that a copy this day may be worth 50*l.* which, in a twelvemonth, may not be worth 5*l.*; because other works of a like nature come out with improvements, which render the old books on the same subject of no value; and a new edition of a work, with improvements, after the purchase made, lessens the value of the copy for a time.

Being asked, Whether, when booksellers buy a copy right, they do not, at the same time, buy all the copies then printed off? He said, They frequently do, and frequently not; but they never re-print any copy under that predicament, until the books remaining are sold off.

Being asked the question, he said, That when he sold his property in copy right to his son, it was known among the trade, that there was an appeal depending before the House of Lords, upon the point, Whether there was any literary property at common law? but that the witness, and the trade in general, was so well confirmed by the determination of the Court of King's Bench, that he thought there was little or no risk at all; for, that had such a doubt existed in his mind, he could have sold that property some years ago, for nearly as much, if not the whole it cost him. And that he knows not of any sale of copy rights derived under authors at common law, since the determination in the House of Lords; nor of any within six months previous to that decision, except his own.

Being asked, Whether, in his opinion, if relief is not granted in consequence of this application, there is not a danger of valuable books being out of print, from a dread of competition by the multitude of copies that may be printed by different bookfellers, in different parts of the kingdom? He said, That would certainly be the consequence as to elegant editions.

That he thinks a month before the late decision in the House of Lords, he could have disposed of his property in copy rights for a very inconsiderable loss.

Being asked, Why it was not the custom of those who are possessed of copy right, to enter them in the books of the Stationers Company? He said, He could only answer for himself, that he never thought the penalties prescribed by the Act of the eighth of Queen Anne were worth contending for, as a much shorter and more complete relief might be had, by filing a Bill in Chancery; that the trade of a bookfeller is circumscribed by no law, nor any bye-law of the Stationers Company; and every man that pleases may set up in the business, without an hour's servitude to the trade; and the wholesale bookfellers in London, solicit the country bookfellers to supply them with books.

Then the agent for the petitioners produced to your Committee, copy of a judgment of the Court of King's Bench, in the cause of Millar against Taylor, in the seventh year of the reign of his present Majesty, in the year of our Lord 1766; whereby it appeared, that Millar recovered against Taylor 1s. damages, and 6ol. costs.

Mr. John Wilkie, clerk to the bookfellers publick auctions, produced to your Committee an account, whereby it appeared that the sum of 49,981l. 5s. had been laid out at such publick auctions since the year 1755, in money for copy rights; in which account the money laid out by private contracts is not included. Then

There was produced to your Committee, copy of a judgment of the House of Lords, upon the appeal of Alexander Donaldson and John Donaldson, and the answer of Thomas Becket, Peter Abraham De Hondt, John Rivington, and others, respondents; whereby it is ordered and adjudged by the Lords Spiritual and Temporal, in Parliament assembled, that the said decree complained of in the said appeal be reversed.

In support of the allegations of the second-mentioned petition,

Mr. Augustine Greenland informed your Committee, that doubts have arisen, whether the right granted by the Act of the eighth of Queen Anne to the authors of books, extends to the



the authors of books or compositions in musick: that Mess. Longman, Lukie, and company, and one Thoroughgood, have published the compositions of Masters in Musick, apprehending such compositions were not within the intention of the said Act of the eighth of Queen Anne; but that the witnesses had not taken the opinion of counsel upon it.

A motion was made, and the question being proposed, That leave be given to bring in a Bill for Relief of Booksellers, and others, by vesting the copies of printed books in the purchasers of such copies from authors or their assigns, for a time therein to be limited;

An Amendment was proposed to be made to the question, by leaving out from the word "others" to the end of the question, and inserting "Purchasers of copy rights, within a limited time."

And the question being put, That the words proposed to be left out stand part of the question;

The House divided.

The yeas went forth.

Tellers for the Yeas,	{ Mr. Feilde,	} 50
	{ Mr. Alderman Sawbridge.	
Tellers for the Noes,	{ The Lord Folkestone,	} 25
	{ Mr. Graves.	

So it was resolved in the affirmative.

Then the main question being put, That leave be given to bring in a Bill for Relief of Booksellers, and others, by vesting the copies of printed books in the purchasers of such copies from authors or their assigns, for a time therein to be limited;

The House divided.

The yeas went forth.

Tellers for the Yeas,	{ Mr. Burke,	} 54
	{ Mr. Whitworth.	
Tellers for the Noes,	{ Mr. Attorney General,	} 16
	{ Mr. Charles James Fox.	

So it was resolved in the affirmative.

Ordered, That Mr. Feilde, Mr. Alderman Sawbridge, Mr. Solicitor General, Mr. Dunning, Mr. Burke, Mr. Alderman Harley, and Mr. Harris, do prepare, and bring in the said Bill.

March 25. The following petition was presented against the Bill to remove the Board of Customs from the town of Boston, by the Lord Mayor.

To the Honorable the Commons of Great Britain in Parliament assembled. The humble Petition of several Natives of North America.

Sheweth,

" That your petitioners being natives of his Majesty's dominions in America, are deeply interested in every proceeding of this Honorable House, which touches the life, liberties, or property of any person or persons in the said dominions.

" That your petitioners conceive themselves and their fellow-subjects entitled to the rights of natural justice, and to the common law of England, as their unalienable birth-right : That they apprehend it to be an inviolable rule of natural justice, that no man shall be condemned unheard; and that according to law no person or persons can be judged without being called upon to answer, and being permitted to hear the evidence against them, and to make their defence.

" That it is therefore with the deepest sorrow they understand, that this Honorable House is now about to pass a Bill to punish, with unexampled rigour, the town of Boston, for a trespass committed by some persons unknown, upon the property of the East-India Company, without the said town's being apprised of any accusation brought against them, or being permitted to hear the evidence, or make their defence. Your petitioners conceive such proceedings to be directly repugnant to every principle of law and justice, and that under such a precedent, no man, or body of men in America, could enjoy a moment's security : for if judgment be immediately to follow an accusation against the people of America, supported even by persons notoriously at enmity with them, the accused unacquainted with the charge, and from the nature of their situation utterly incapable of answering and defending themselves, every fence against false accusation will be pulled down, justice no longer be their shield, nor innocence an exemption from punishment.

Your petitioners beg leave to represent, that law in America ministers redress for any injury sustained there; and they can most truly affirm, that it is executed in that country with as much impartiality as in any other part of his Majesty's dominions. In proof of this, they appeal to an instance of great notoriety, in which, under every circumstance that could exasperate the people, and disturb the course of justice, Captain Preston and his soldiers had a fair trial and a favourable verdict. While the due course of law holds out redress for any injury sustained in America, they apprehend the interposition

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of Parliamentary power to be full of danger, and without any precedent. If the persons who committed this trespass are known, then the East-India Company have their remedy against them at law; if they are unknown, your petitioners cannot comprehend by what rule of justice the town can be punished for a civil injury committed by persons not known to belong to them.

" Your petitioners conceive that there is not an instance, even in the most arbitrary times, in which a city was punished by Parliamentary authority, without being heard, for a civil offence not committed within their jurisdiction, and without redress having been sought at common law. The cases which they have heard adduced are directly against it. That of the King against the City of London, was for a murder committed within its walls by its citizens, in open day. But even then, arbitrary as the times were, the trial was publick in a court of common law, the party heard, and the law laid down by the Judges was, that it was an offence at the common law to suffer such a crime to be committed in a walled town, *tempore diurno*, and none of the offenders to be known or indicted. The case of Edinburgh, in which Parliament did interpose, was the commission of an atrocious murder within her gates, and aggravated by an overt act of high treason in executing against the express will of the Crown the King's laws. It is observable, that these cities had by charter the whole executive power within themselves, so that a failure of justice necessarily ensued from their contrivance. In both cases, however, full time was allowed them to discharge their duty, and they were heard in their defence. But neither has time been allowed in this case, nor is the accused heard, nor is Boston a walled town, nor was the fact committed within it, nor is the executive power in their hands as it is in those of London and Edinburgh; on the contrary, the Governor himself holds that power, and has been advised by his Majesty's Council to carry it into execution. If it has been neglected, he alone is answerable; if it has been executed, perhaps at this instant, while punishment is inflicting here on those who have not been legally tried, the due course of law is operating there to the discovery and prosecution of the real offenders.

" Your petitioners think themselves bound to declare to this Honorable House, that they apprehend a proceeding of such excessive rigour and injustice will sink deep in the minds of their countrymen, and tend to alienate their affections from this country.

" That the attachment of America cannot survive the justice of Great Britain.

" That

"That if they see a different mode of trial established for them and for the people of this country, a mode which violates the sacred principles of natural justice, it may be productive of national distrust, and extinguish those filial feelings of respect and affection, which have hitherto attached them to the parent state.

"Urged, therefore, by every motive of affection to both countries; by the most earnest desire not only to preserve their own rights, and those of their countrymen, but to prevent the dissolution of that love, harmony, and confidence between the two countries, which was their usual blessing and support.

"Your petitioners do most earnestly beseech this Honorable House not to pass the said Bill."

The House went into a Committee on the Bill.

Mr. Fuller.

Mr. FULLER said, He intended to make an alteration in the Bill, by first substituting a fine before the blocking up the port; he should therefore propose, that the words "from and after," be left out, in order to insert one of his own. He said, that Boston was a port of the greatest consequence to this country of any existing; that the Bill before them was totally unprecedented, for that the case of Edinburgh, Glasgow, &c. and others that had been mentioned, was not in the least similar; that the penalty of blocking up their ports was too severe for the first offence; that when the nation came to know the contents of this Bill, he was very sure they would be dissatisfied with it; that the Bostonians, upon the first resistance, will tell you they won't remit the money which they owe you; that nothing but confederacies would spring up among them; that he was strongly of opinion, that this Bill could be carried into execution without a military force; that if you send over a small number of men, the Boston militia would immediately cut them to pieces; that if you send over a larger number, six or seven thousand, the Americans will debauch them; and that by these means we should only hurt ourselves. I would begin, says he, by an amercement; nor would I wish this Bill to take place, until they had refused the payment of it; he should apprehend, that about 15,000*l.* would make amends to the India Company, and would in some measure be a relief to poor Malcolm (the Custom-house officer, who had been tarred and feathered); it was always a rule in law, he said, where damages are done by unknown persons, that the community should be made to pay; he therefore wished that the House would adopt the proposition he had made.

Mr. Herbert.

Mr. HERBERT rose, and opposed the measure which Mr. Fuller

Fuller proposed; said, The proposition would by no means relieve us, but throw us into greater difficulties. He said, the Bostonians would certainly resist the payment of the fine; that we must then have recourse to this method; the measure proposed was still more likely to be resisted than the Bill, because the fine will be laid on all America; this would induce others to join in the opposition, who before were not concerned in it. He said, the Americans were a strange set of people, and that it was in vain to expect any degree of reasoning from them; that instead of making their claim by argument, they always chose to decide the matter by tarring and feathering; that the method now proposed in the Bill would become more a punishment by their refusal than by their compliance; that the Americans alone were the persons by whose behaviour the lenity or severity of the measure was to be proved; he therefore should agree to the Bill, in preference to the amendment proposed.

LORD NORTH rose, and opposed the amendment; said, Lord North.  
However great his obligations were to the candour and public spirit of the Honorable Gentleman who made the motion, yet he differed much from him in the amendment proposed. His Lordship observed, that though the Honorable Gentleman had said it was the first offence, yet upon recollection he was very sure he would not be of that opinion, as the people at Boston had began many years ago to endeavour to throw off all obedience to this country; that, indeed, this was the first time that Parliament had proceeded to punish them. He said, I am by no means an enemy to lenient measures, but I find that resolutions of censure and warning will avail nothing; we must therefore proceed to some immediate remedy;—now is our time to stand out—to defy them—to proceed with firmness, and without fear;—that they would never reform until we take a measure of this kind. Let this Bill produce a conviction to all America, that we are now in earnest, and that we will proceed with firmness and vigour; that conviction would be lost, if they see us hesitating and doubting; that it would be enough to shew that Great Britain is in earnest. The merchandize now will be landed at Marble-head, in the port of Salem, which is putting Boston about seventeen miles from the sea with respect to foreign trade; this restriction will be continued as long as they persist in their proceedings; it will operate severely or mildly against them, according to their behaviour; if they are obstinate, the measure will be severe; if not, mild. He believed that Boston would not immediately submit to a fine, nor to the intention of the present Bill, unless it came attended with a mark of resolution and firmness that we mean to punish them, and assert our right;

it is impossible to suppose but some of our own people may in some degree suffer a little, but we must compare those temporary inconveniences with the loss of that country, and its due obedience to us; they bear no comparison; and the preference must certainly be given to the latter, and attended to. The Honorable Gentleman, he said, tells us, that the Americans will not pay their debts due to this country, unless we comply with their disposition. I believe, says his Lordship, things will remain much in the same state as they did upon a like occasion; they threatened us with the same thing if we did not repeal the Stamp Act; we repealed that Act, and they did not pay their debts. If this threat is yielded to, we may as well take no remedy at all; their threats will hold equally good to the fine proposed by the Honorable Gentleman, as to the operation of this Bill. I hope, adds his Lordship, that we every one feel, that it is the common cause of us all, and such an unanimity will go half way to their obedience to this Bill. The Honorable Gentleman tells us, that the Act will be a waste piece of paper, and that an army will be required to put it in execution. The good of this Act is, that four or five frigates will do the business without any military force; but if it is necessary, I should not hesitate a moment to enforce a due obedience to the laws of this country. The situation of the troops in that country has been such, that no magistrate or civil officer of the peace has been willing to call forth their strength on proper occasions; it will become us to find out some method whereby the military force may act with effect, and without bloodshed, in endeavouring to support and maintain the authority of Great Britain; but I hope that this Act will not, in any shape, require a military force to put it in execution; the rest of the Colonies will not take fire at the proper punishment inflicted on those who have disobeyed your authority; we shall then be nearly in a situation, that all lenient measures will be at an end if they do; but if we exert ourselves now with firmness and intrepidity, it is the more likely they will submit to our authority. If the consequences of their not obeying this Act are likely to produce rebellion, that consequence belongs to them, and not to us; it is not what we have brought on, but what they alone have occasioned; we are only answerable that our measures are just and equitable. Let us continue to proceed with firmness, justice, and resolution; which, if pursued, will certainly produce that due obedience and respect to the laws of this country, and the security of the trade of its people, which I do ardently wish for.

Mr. Gascoigne.

Mr. GASCOIGNE said, He differed much from the proposition made by Mr. Fuller, as an amendment to the Bill.

Will

Will Gentlemen consider what sort of Acts of Assembly the Bostonians have lately passed? They have sent over one law, to be approved of by his Majesty, for the raising and purchasing twelve pieces of brass cannon; these, he said, were to be produced against the present proposition of amendment. Do these proceedings look with a peaceable eye to the proposition of his Honorable Friend? It is not, says he, the acts of tarring and feathering only that shew their displeasure to persons who have offended them; they have other modes of punishment, which they make use of by way of argument and reason; the house of any person with whom they are displeased, they immediately daub over with excrement and tar, by which means the whole family is obliged to quit it. These people, said he, he was afraid, would hardly ever be brought to reason; for the moment a person offered to argue, the reply was, either tarring, feathering, or daubing the house. That the Bill before them now, he apprehended, would bring these tarring and feathering casuists to a little better reason; nor did he imagine that a military force would be in the least necessary; that as their meetings were chiefly made up of merchants, the prescribing limitations to their trade would be the only way to bring such merchants to their senses.

Mr. MONTAGUE (second son of Lord Sandwich) rose for his first time in the House. He said, That it was usual to begin by making some sort of apology to the House as a virgin orator; that he should, for the present, wave that, but should venture what little he had to say with as much propriety and decency as he was able. He said, he was the youngest Member in the House, and therefore might more properly lay his thoughts before the House, in order that they might hereafter be corrected by men more able, and of greater experience; and that he might at last be induced to give his vote at least rectified with some sanction of authority. He expatiated much on the load of debt which this country had incurred on obtaining America in Germany; that we had spilt the dearest and best blood we had in the attainment of it; that it had been the result and deliberation of our councils to obtain the possession of it by any means, and at any risk whatsoever; that it had been the darling object of this country, ever since we possessed it, to cherish and nourish it as the main prop and support of the constitutional body of Great Britain; that after all these struggles for the possession of such a jewel in the Crown of this country, it would be madness, it would be folly indeed to the last extremity, were we not to pursue the most determined conduct to preserve it hereafter; the giving up that gem which we have so carefully and so diligently polished,

Mr. Montague.

or neglecting to enforce that due obedience, and cultivate the friendship, would be as it were an actual surrender of all our right and claim. He spoke much upon the indulgence that had been shewn to the Colonies by the Mother Country, and observed, that we had received nothing in return but contempt of Government. Was this filial friendship? Was this that debt of gratitude which was owing to this country? Or was this that bond of mutual connection which ought to have subsisted between the Mother Country and its Colonies? He said, he looked upon the unity of legislation to be as essential to the body politick, as the Deity was to religion; that the disorders abroad had entirely been owing to our weak councils at home, and condemned much the same, unmanly proceedings of Government towards the Americans. Those acts of the Americans call now loudly for that power and that interposition which has been so long, and with so much danger to this country withheld. Let us, says he, now proceed, and consider what it is most prudent to do in the present situation of things, *rebus sic talibus*. Let us consider whether the Bill before us will not be the most proper method that can be adopted. The Bill before them, he said, would operate as a restorative and palliative; but if the amendment was adopted, which was proposed by the Honorable Member, it would indeed produce a punishment, the sting of which Great Britain would in some measure feel. He expatiated much also upon Gentlemen in that House who had been clamorous against measures of Government with a view to make themselves popular; he termed them a faction, whose very existence had arose merely as it were from the vilest excrement of the earth. He begged pardon for having detained the House so long; as they had been so kind and indulgent to him in the attention which they shewed, he would conclude with giving his hearty approbation to the Bill before the House, as it bore on its face those distinguishing lines which ought to be the true characteristic of every British Minister, moderation and courage.

Mr. Byng.

Mr. BYNG.—I rise, Sir, to speak my mind upon this, and whatever principles I have hitherto adopted, be they right or be they wrong, I have always adhered to; and as I live with such opinions, I hope I shall die in them. Mens characters are known after their death, and to have steadily adopted one uniform set of principles, from which I have not deviated, I hope will not be deemed factious. This Bill, says he, will prevent all importation of goods to Boston, and thereby create that association in the Americans which you have so much wished to annihilate. You are not punishing the Bostonians; you are punishing the English merchants. They, Sir, would  
petition



petition this House, but they might petition it in vain. I am against both the proposition of the amendment, and the Bill itself; I therefore propose, that after the words, "not to import goods," the words, "except of British merchants" be inserted.

Mr. STANLEY spoke very short, and said, That the place Mr. Stanley where trade and merchandize could not be landed in safety, was not a port, it was therefore proper that some other port should be found out where the subjects of this country might land their merchandize in safety. I think, says he, the Bill which is now before you, as far as it can convey punishment will be unavoidable; something must be done, an immediate remedy must be had, and, I think, none can be adopted so free from objection as the Bill before you.

Mr. DEMPSTER said, That he knew of no Act to which Mr. Dempster. he gave his hearty consent in a more willing manner, than to that which was for the repeal of the Stamp Act; he said, our disorders had arisen from our attempts to tax the Americans by that odious Stamp Act; he was very sure, he said, the destruction of America would be certain if we should offer to tax it. Have we not, said he, given an extent of power to his Majesty, to prevent the port of Boston from ever being reinstated if the King should think proper? What limit or line is drawn to define when it will be proper, right, and just, that the port of Boston should be reinstated. He said, the dignity of Parliament was by no means concerned in the disputes with our Colonies; that we should treat them as our children, nourish and protect them.

LORD NORTH got up to explain himself. When he mentioned the threats of Boston were not to be depended upon at the repeal of the Stamp Act, he said, he did not mean to rip up wantonly, and without occasion, the mention of the repealing the Stamp Act; that he begged to be understood in that light, only to shew, that the threats of Boston, at that time, in not paying their debts, unless the Stamp Act was repealed, were not always to be depended upon. Lord North.

Mr. WARD said, He was surprised to hear that we were Mr. Ward. not now to tax America; that he was equally surprised not to find that unanimity which he expected upon the present Bill; that he himself was much against the repeal of the Stamp Act; that he had presented four petitions from his constituents in favour of the repeal, but that he, at the same time, told them he must be against them. He approved, he said, of this Bill, because there was no other resource left; that we were drove to the wall. He disagreed, he said, to the amendment.

there is any reason to distrust his Majesty's Ministers, that they will not restore the port when it shall be proper; but I want to hear the reason why this clause should be so left in the judgment of the Crown, and the next clause should be so particularly granted, with such a guard upon his Majesty, to prevent him from restoring the port until the East India Company shall be fully satisfied.

Mr. PHIPPS said, That nothing surely was so proper as to Mr. Phipps. allow the Crown that power which always had been attributed to it, that of mercy; his Majesty cannot deprive the people of a port without the leave of Parliament, but he may certainly give one; as to the power being lodged in the Crown, of restoring the port upon proper contrition, it is highly proper, and not in Parliament, for Parliament may not be sitting at the time when the trade of Boston ought to be restored; that power which has a right to give a port, has also a power of appointing quays and wharfs; if the power was not lodged in the Crown, quays and wharfs might be made at places totally inconvenient to the Custom-house officers, and thereby prevent the collection of his Majesty's revenues.

LORD NORTH (to explain) said, That the test of the Lord North. Bostonians will not be the indemnification of the East India Company alone, it will remain in the breast of the King not to restore the port until peace and obedience shall be observed in the port of Boston. I am ready (says his Lordship) to admit a clause to secure those wharfs and quays which are now in use, to be the same when the port shall be restored. He observed, he had been charged with changing his opinion; that the declaration which he had made tended chiefly to the punishment of the Bostonians, and that the Bill particularly adhered to the views of making the India Company satisfaction. He believed the House would do him the justice to say, that he had declared both those measures to be his intention at the first setting out of the business, as well as to restore the trade to a proper footing; that he hoped he had never deviated from them, notwithstanding what the Honorable Gentleman (Mr. Fox) had charged him with; that he should never be ashamed, at any time, to give up his opinion upon good grounds; it would be the height of obstinacy not to do it, when he saw any good reasons to guide his opinion to better judgment.

Mr. VAN said, He agreed to the flagitiousness of the of-Mr. Van. fence in the Americans, and therefore was of opinion, that the town of Boston ought to be knocked about their ears, and destroyed, *delenda est Carthago*. Says he, I am of opinion you will

Colonel  
Barre.

will never meet with that proper obedience to the laws of this country, until you have destroyed that nests of locusts.

COLONEL BARRE said, He had very little thoughts of troubling the Committee upon this clause, but for an expression which fell from an Honorable Gentleman under the gallery, *delenda est Carthago*. I should not have rose, says he, had it not been for those words. The Bill before you is the first vengeful step that you have taken. We ought to go coolly to this business, and not trouble our heads with who passed, or who repealed the Stamp Act, or other taxes. We are to proceed *rebus sic talibus*. The proposition made ye I thought a moderate one, though I must confess I hate the word fine; it is a tax, and as long as I sit here among you I will oppose the taxing of America. This Bill, I am afraid, draws in the fatal doctrine of submitting to taxation; it is also a doubt by this Bill, whether the port is to be restored to its full extent. Keep your hands out of the pockets of the Americans, and they will be obedient subjects. I have not a doubt, says he, but a very small part of our strength will, at any time, overpower them. I think this Bill a moderate one; but I augur that the next proposition will be a black one. You have not a loom nor an anvil but what is stamped with America; it is the main prop of your trade. Parliament may fancy that they have rights in theory, which I'll answer for they can never reduce to practice. America employs all your workmen here; nourish and protect it, that they may be supported.

The clauses objected to passed in the affirmative without any division but one or two negatives being given against it.

The Committee broke up, and the Bill was reported that night, and ordered to be engrossed.

March 25. The Speaker put the question on the Boston Port Bill, That the Bill do pass.

Mr. Fox.

Mr. C. FOX said, He got up only to make a motion to leave out the two clauses, which, in the Committee, he had objected to.

The SPEAKER desired to know if any amendment was intended to be made before he put the question, as such amendment would then more properly come in.

Mr. Cooper proposed a small amendment, of inserting after the words November, December, and January, the word "last." The question was then put, that those words that were read, down to the amendment, from the beginning of the clause, should stand part of the Bill; it passed in the affirmative without a dissenting voice.

Mr.

Mr. FOX made the same objection to the words of the other Mr. Fox. clause, which also passed in the affirmative without two negatives; he said, he did it, in order that it might appear on the Journals, that somebody did object to them. The question, That this Bill do pass, being put up again,

Mr. DOWDESWELL said, he rose to give his dissent to Mr. Dowdeswell. passing the same into a law; that he had not the least degree of timidity in rising to oppose it; that he always thought the proposition totally unjust and unfair. By the Bill, a person is to understand, that the commerce of all his Majesty's subjects is interrupted; and said, I cannot give my assent to it, until I hear the complaints from the different manufacturers of iron, leather, wool, &c. and the merchants of this country, which complaints, I imagine the hurry of passing this Bill totally prevents. It is not, says he, that any other goods are interrupted in the port of Boston, but those which are charged with a duty from hence. Look to the consequences of this Bill; you are contending for a matter which the Bostonians will not give up quietly. I remember, says he, when it was held a doctrine in this House, by persons of great and extensive knowledge, that we had no right to tax America. There is now no such opinion; the question was then, "Whether, with the profits which we receive from all our manufactures exported hence, it would be a wise measure to tax America?" What is the reason, says he, that you single out Boston for your particular resentment? Have there been no other towns in America which have disobeyed your orders? Has not Philadelphia, New York, and several other provinces, sent back their tea? Has not the East India Company suffered nearly as much damage from the tea being sent back, as indeed where they have landed it? Charles Town is the only place where they have suffered the tea to be landed; and what have they done? They have put it into a damp cellar, and the whole has become rotten and useless. You find yourselves, says he, much at a loss about this Bill, and are much hurt, because the innocent are likely to be involved in the same punishment with the guilty. You are now going to censure them, in the same manner as was done in the case of Edinburgh and Glasgow, where the people at large were to suffer for the neglect of their magistrates. There is a great difference between the magistrates of Edinburgh and those of Boston; those at Edinburgh are chosen by the people; those at Boston are not; they are appointed by the council, and the council are elected by the province at large. You are going, says he, to appoint a new port, where there are neither sufficient wharfs, quays, or warehouses for carrying on business. You hereby punish the British merchants much

much more severely than the people of Boston. The folly and childishness of carrying on such a project is certainly very evident. All that you have effected, is to carry your merchandize 17 miles further from the town of Boston, so that the Bostonians shall be obliged to be at an additional expence in conveying their merchandize from the port of Salem by land. You ask, says he, why the Americans don't pay their debts? If you stop the exports, you will of course stop the payment of those debts. Now, Sir, says he, let us consider how this Bill is founded upon principles of justice; if Parliament continually passes Bills, sometimes to punish the person, at other times the places, you will, by and by, have your hands fully employed; you will soon inflame all America, and stir up a contention you will not be able to pacify and quiet. The passing this Bill in a week or so, does not give time to the injured persons in America to petition this House for redress. I rejoice, that you have at least had one petition from the natives of America residing in this country; the language of that petition bears the face of a well-wrote, unanswerable argument; it is no common petition, it is the strong and pathetic language that tells their own feelings, and those of their fellow subjects in America. I wish to hear some arguments offered by any gentleman in this House, against what is contained in it, for it will be said, both here and in America, that such reasons and arguments deserve an answer.

Mr. Wel-  
bore Ellis.

Mr. WELBORE ELLIS said, he did not rise to answer the Hon. Gentleman to the first part of what he advanced, being arguments which had, in a former debate, been urged and sufficiently replied to. He said, this behaviour of the Americans was the most direct opposition to the laws of this country that could possibly be conceived. If this country, says he, has not a right to pass a tax on America, they have no right to pass any law whatsoever relative to it. The present Bill, he said, confirms no tax; it enacts none, it imposes none; the tax upon tea was introduced to prevent tea being smuggled into that country. The Hon. Gentleman (Mr. Dowdeswell) had said, this Bill was unjust and unwise. I differ much from him, says he, and think it both just and wise. This Bill makes it expedient for them to do their duty, and puts the Bostonians upon the inquiry to find out who were the parties that committed this riot; the persons or magistrates in the town, not inquiring into the proceedings, are much to blame, and I cannot think this Bill in the least unwise. Can it, Sir, says he, be unwise, unless it is unwise to maintain the authority of this country, and to punish those who have been the aggressors against its laws? The Hon. Gentleman, he said, had mentioned,

tioned that others were guilty, and why were they not punished? There is, said he, a different degree of crime in each of them, and some are more to blame than others. It is treason in the Bostonians, and can only be deemed a high crime and misdemeanor in the others; but, in my mind, it appears to be wise, first, to single out Boston as the principal ringleader of the whole disturbance, and begin this punishment there, to see what effect the proceedings will have; I therefore think this Bill wise, prudent, and just.

Mr. E. BURKE—I trouble you in the last stage of the Bill, because I would not appear petulant when my objections run to the whole of the Bill. I never knew any thing that has given me a more heart-felt sorrow than the present measure. This Bill is attempted to be hastened through the House in such a manner, that I can by no means assent to it; it is to be carried by force and threats into execution; and you have even refused to hear Mr. Bolland, the agent, declaring him to be no agent for Massachusetts Bay, or properly authorised by them to present such petition; you have not now one left in England to be heard in behalf of any of the Colonies; the only obstruction that this Bill has had, has been owing to its own *vis inertia*; but persons who oppose this Bill, are immediately put to the same kind of punishment in the publick papers which offenders in America are. Look, Sir, says he, into the publick papers, you will see Cinna, and a thousand other Roman names, throwing out their invectives, and tarring and feathering all those who dare oppose the Bill; I suppose I shall reap my share for this opposition: but, Sir, at all events, I will enter my reasons and protests against this Bill, and will mount my little palfrey, and speak of injustice which the Bill contains with the greatest confidence. The grievance which is stated in the papers before you on the table, appears to be an universal resistance from all America against any goods or merchandize that shall be loaded with taxes; he desired that part of General Haldiman's letter, declaring the resolution of the Americans not to submit to receive goods with duty upon them might be read; he read the extract he had made in his place; he said, the whole meeting in the town of Boston consisted of six or seven hundred men of the first rank and opulent fortune in the place; that the proceedings were conducted with the utmost decency. He said, this was not a meeting of mean persons, but that the acts of resistance were all countenanced by universal consent. Observe, says he, that the disturbances are general; shew me one port in all America where the goods have been landed and vendid; the distemper is general, but the punishment is local, by way of exchange. Whether it will be effectual or not, I

don't know ; but, Sir, says he, let me paint to this House the impropriety of a measure like this ; it is a remedy of the most uncertain operation ; view but the consequence, and you will repent the measure ; give orders at once, says he, to your Admirals to burn and destroy the town ; that will be both effectual, proper, and moderate, and of a piece with the rest of your proceedings, *eventus tristis*. One town in proscription, the rest in rebellion, can never be a remedial measure for general disturbances. Have you considered, says he, whether you have troops and ships sufficient to enforce an universal proscription to the trade of the whole continent of America ? If you have not, the attempt is childish, and the operation fruitless. Only, Sir, says he, see the consequence of blocking up one part ; for instance, that of Virginia Bay ; which, if you do, you will destroy the tobacco trade, and thereby bring, as it were, a certain ruin on your own merchants at Glasgow and Edinburgh. This Bill, says he, has been thought a vigorous, but not a rigorous punishment. It is my opinion that you might even punish the individuals who committed the violence, without involving the innocent ; I should approve much of that ; but, Sir, to take away the trade from the town of Boston, is surely a severe punishment. Would it not be a rigorous measure to take away the trade of the Thames, for instance, and direct the merchandize to be landed at Gravesend ? I call this Bill very unjust that is now to be adopted. Is it not fundamentally unjust to prevent the parties who have offended being heard in their defence ? Justice, Sir, is not to be measured by geographical lines nor distance. Every man, Sir, says he, is authorised to be a magistrate, to put a stop to disturbances which he perceives to be committed against his Majesty's peace ; but did you expect that the people who were not present at such disturbances, should be equally punished for not aiding and assisting in putting an end to those riots which they never saw or heard of ? This, Sir, says he, is surely the doctrine of devils, to require men to be present in every part of America wherever a riot happens ; but this Bill involves those who have never in the least been guilty ; and then you again say, that the disturbances which did happen ought to have been immediately put a stop to by the people of Boston, and that they were bound to preserve the good order of the town ; but, Sir, I have too much reverence for the image of God to conceive that the Honorable Gentleman (Mr. Welbore Ellis) does really and truly imbibe such a doctrine. He then read part of Colonel Leslie's letter, No. 45, wherein the Colonel said, that neither the Governor, nor the Council, nor any of the Custom-house officers, have ever yet applied to me for any assistance ; if they had,

had, I could most certainly have put a stop to all their riot and violences, but not without some bloodshed, and firing upon their town, and killing many innocent people. Why, Sir, says he, did not the Governor at once send for this assistance? Was it contrary to, or do you think he would have broke through his instructions if he had endeavoured, by such ways and means, to preserve the public peace, and prevent violences from being committed? The fault of this Governor ought not to be the means of punishment for the innocent. You have found that there was no Government there. Why did not the Governor exercise his authority? Why did not the ships execute their duty? What was the reason they did not act? Why is not Mr. Hancock, and the chief people who are known, punished, and not involve the innocent with the guilty in one universal calamity? You, surely, Sir, cannot have power to take away the trade of a port, and call it privilege! Why was not your force that was present applied to quell the disturbances? How came they to be so feeble and inactive? How are you sure that the orders and frigates which you now send will act better? I cannot think this, by any means, a prudent measure, in blocking up one port after another; the consequence will be dreadful, and I am afraid destructive; you will draw a foreign force upon you, perhaps, at a time when you little expect it; I will not say where that will end; I will be silent upon that head, and go no further, but think of the consequence. Again, Sir, in one of the clauses of the Bill you proscribe the property of the people, to be governed and measured by the will of the Crown. This is a ruinous and dangerous principle to adopt. There is an universal discontent throughout all America, from an internal bad government. There are but two ways to govern America; either to make it subservient to all your laws, or to let it govern itself by its own internal policy. I abhor the measure of taxation where it is only for a quarrel, and not for a revenue; a measure that is teizing and irritating without any good effect; but a revision of this question will one day or other come, wherein I hope to give my opinion. But this is the day then that you wish to go to war with all America, in order to conciliate that country to this; and to say that America shall be obedient to all the laws of this country. I wish to see a new regulation and plan of a new legislation in that country, not founded upon your laws and statutes here, but grounded upon the vital principles of English liberty.

Mr. GREY COOPER said, he could not agree in the doctrines laid down by the Hon. Gentleman who spoke last, that the Bill was unjust or unwise; it was, he said, in his opinion,

Mr. Grey  
Cooper.



try, the emoluments of which arise from the labour and sweat of an American brow, it will undoubtedly, and very properly, totally annihilate the power of any supreme officer in that country. Men look up to their superiors, and obey their directions according to the emoluments received from them; and when once there is no dependence in it, there will be no obedience.

Sir Fletcher Norton.

**SIR FLETCHER NORTON** said, he only got up to know, whether there was to be an Assembly left to the Americans, or not? for he was not able to say, from what he had heard from the noble Lord, whether the Assembly was to be annihilated or not.

Lord North.

**LORD NORTH** arose to assure the Right Honorable Member, that there would be nothing in this Bill that affected either the Assembly or the Council in their legislative power.

Mr. S. Fox.

**Mr. STEPHEN FOX** said, Can there be any thing so necessary to alter as that government which can neither govern nor manage itself? The people of Boston have behaved in a most outrageous manner, militating against every principle of law and justice, combating against its own constitutional power, and totally subverting every idea of order and regularity. Would you let these men go on in that chaos of disturbance? Would you wish them to proceed so precipitately to their ruin and destruction, without once lending the aid of your deliberations to rescue them from the self-conceived and false opinions which they have imbibed. I hope, Sir, this House will lend its advice, and endeavour to save these hot-headed Americans, not by violent measures, but by firm and manly proceedings.

Lord Geo. Germain.

**LORD G. GERMAINE.**—It may not be improper, Sir, I hope, to throw out a little upon this occasion, and to ask for further information, to know whether this is to be the extent of the proposition with regard to the salutary measures that are to be made and taken in this Committee, during this whole session; if so, Sir, I should be glad to give my poor opinion, and add my mite of preservation to that country. I could have wished that the noble Lord, when he was forming this scheme of salvation to this country, would have, at least, considered that there were other parts of the internal government necessary to be put under some regulation. I mean particularly the internal government of the province of Massachusetts Bay. I wish to see the Council of that country on the same footing, and on the same state as other Colonies. There is a degree of absurdity, at present, in the election of the Council. I cannot, Sir, disagree with the noble Lord, nor can I think he will do a better thing, than to put an end

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to their town meetings. I would not have men of a mercantile cast every day collecting themselves together, and debating about political matters; I would have them follow their occupations as merchants, and not consider themselves as ministers of that country. I would also wish, that all corporate powers might be given to certain people in every town, in the same manner that corporations are formed here; I should then expect to see some subordination, some authority and order. I don't know by what power those are to be formed, but I wish that they may be formed by some. Again, Sir, I think that the method of grand juries ought to be much attended to: they are now chosen for life, and have a yearly salary, and these are the men to whom your life and property is entrusted. Your people know to whom to make application, when law and justice are wished to be subverted by favour and affection. Your petty juries are elected annually, so many persons in each town; to these men offenders know how to apply; and when any riot happens between the military power and the people of the town, the jury, being taken principally out of that town, the power of the life and death of the offender is lodged in those who are offended. These juries, I think, require great regulation: they are totally different from ours, and, in my idea, carry with them not only the highest degree of absurdity, but are subject to be led aside to commit the highest and most palpable enormities against justice and the laws of the land. I would not wish to protract the noble Lord's Bill, either by lengthening it out to a degree which he does not wish it to go, nor to oppose the measures which he has already adopted. I would wish to bring the constitution of America as near and similar to our own as is possible. I would wish to see the Council of that country similar to a House of Lords in this. I would wish to see chancery suits determined by a court of chancery, and not by the Assembly of that province. At present, their Assembly is a downright clog upon all the proceedings of the Governor, and the Council are continually thwarting and opposing any proposition he may make for the security and welfare of that government. You have, Sir, no Government, no Governor, the whole are the proceedings of a tumultuous and riotous rabble, who ought, if they had the least prudence, to follow their mercantile employment, and not trouble themselves with politics and government, which they do not understand. We are told by some Gentlemen, oh! do not break the charter; do not take away their rights that are granted to them by the predecessors of the Crown; whoever, Sir, wishes to preserve such charters, without a due correction and regulation; whoever, Sir,

wishes for such subjects, I wish them no worse than to govern them. Put this people, Sir, upon a free footing of government; do not let us be every day asserting our rights by words, and they denying our authority, and preventing the execution of our laws. Let us, Sir, persevere in refining that government which cannot support itself, and proceed on in the manner we have begun, and I make no doubt but, by a manly and steady perseverance, things may be restored from a state of anarchy and confusion, to peace, quietude, and a due obedience to the laws of this country.

Lord North.

LORD NORTH.—I thank the noble Lord for every proposition he has held out, they are worthy of a great mind, and such as ought to be adopted; and indeed I cannot say, that at present there is any objection to what is proposed being regulated at some future period; if any thing can tend to the relief of the present distresses in America, it is the unanimity of this House, and of men of such abilities as the noble Lord, in the projection of measures necessary to be taken. Every proposition the noble Lord has mentioned coincides with my mind; I see the propriety of them, and I would wish to adopt them. It is not my proposition to close this Committee before other measures may be offered, which, for aught any thing I know, may have a degree of preference to those I have this day proposed. I, for my part, Sir, shall think of the propositions made, and receive them to be canvassed by greater wisdom and abilities than mine. I am clear, with the noble Lord, that the constitution of this charter ought not to prevent Parliament from interfering to regulate those matters in America, which the indigested measures of their charter have, perhaps, precipitately been, in some degree, a means of preventing the peace and quietness of that country from being restored.

Mr. Phipps got up, but the House being noisy, he was not much attended to.

Mr. Pownall also spoke, and used much the same kind of arguments he had done in the former debates; giving a judicious account of the government of America; and concluded with giving to the Americans the character of a conscientious, good, religious, peaceable set of people, and that there was not in all his Majesty's dominions a more respectable set of persons existing.

Leave was then given to bring in the Bill for the better regulating the government of the province of Massachusetts Bay, without further opposition.

March

March 31. The Bankers Bill, and other private busincls.  
No debate.

April 12. COLONEL LUTTRELL rose in his place, and Colonel Luttrell stated a long complaint against the Sheriffs of London and Middlesex, in not summoning him to attend his duty in that House, in obedience to the SPEAKER's orders issued for that purpose; and moved, "That the Sheriffs be ordered to attend and account to the House for the contempt on Tuesday the 19th ult."—His speech was as follows:

If I had not been prevented by illness, I should certainly have attended my duty here earlier in the sessions; I felt very uneasy at being absent when a matter was agitated here, in which I should have thought it necessary for me to have taken a very forward part. My own feelings, the interests of all the electors of Great Britain, will oblige me to reassume it, and in a manner, I hope, to prevent your being teized with it in a future Parliament, or even in the next sessions.

Previous, however, to my going into matters of that magnitude, before I give a vote in the present sessions, I think it incumbent upon me to prefer a complaint against the two Sheriffs of Middlesex, who, when commanded by this House to summon the Knights for the said county to attend the service of Parliament, instead of directing such summons to me, as I presume it was their duty to do (and of which duty they could not well be ignorant), did take upon themselves to constitute and appoint another gentleman to supersede me in that capacity upon their mere licence and election; which daring and dangerous assumption of power was farther aggravated by a formal, deliberate avowal of their criminal proceeding through you, Sir, the the SPEAKER of the House, as matter of laudable and spirited achievement.

I mean, Sir, when the persons who exercised the same office of Sheriff last year were guilty of a like offence, I thought this House acted with an ill-judged lenity and forbearance thereupon; but I attributed its silence into a willingness to overlook an offence of this kind in the first instance, as proceeding from the particular ignorance and delusion of the individual men, rather than from any magisterial principle and system to be handed down and adopted by their successors in office, in contempt of the legal rights of this House, and in open defiance of its justice and authority.

Such is my love of peace and quietness, that I did not choose on that occasion to be the first mover of any matter which might possibly produce disturbance, if I could with decency avoid it; I therefore suspended my attendance the whole sessions, not  
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finding any momentous affairs then coming before you so critically circumstanced as to render my vote and opinion indispensably necessary.

I laughed indeed at your impotent threat, that if any Member should absent himself otherways than by leave of this House, he should be taken into custody.

You should have excepted me, at least, in your order. I dared you in the last sessions. With what degree of propriety could you, Sir, this, inflict any part of the threatened punishment upon me, had I not voluntarily chose to pay you this visit, after an absence of two years?

Besides, Sir, I was inclined to flatter myself that two other persons could scarcely be chosen by the livery of the city of London into so respectable a situation, who would presume to repeat and confirm the palpable insult; but such having again dared to stand forth, and boast of it as one of the necessary obligations of their office, I could scarce apprehend (with all the shirking and inconsistency that I have observed among you during my few years experience here) that you would suffer such insult to be repeated, without some notable mark of reprobation; much less that, even when reported from the Chair, you would have shammed deaf and dumb, and have remained in a manner planet-struck.

I learn, however, that in a very recent exertion of your privileges against the printer of a newspaper, you proceeded with a rigour fully sufficient; not indeed without a general imputation without doors of petulance, captiousness, and breach of faith. You dragged a poor private man from his family threshold, inflicted on him heavy mulcts and comfortless durance, for an offence against the dignity of this House, unwittingly committed, and which, in its nature and probable consequences was insignificant compared to the one you are now urged to take cognizance of.

The offenders in question are in the exercise of functions of the most respectable influence, and the first publick account; much sitter objects than those printers for your resentment. This resentment you owe not only to me as a single Member immediately injured, but to yourselves in your collective capacity—that is, if you mean to abide by your decision in the Middlesex business.

He was seconded by Mr. C. Fox, who, to shew the necessity there was for agreeing to the present motion, had recourse to his former arguments respecting the dignity and privileges of the House.

He was replied shortly to by Lord Beauchamp, who remarked that

that the motion was premature, and moved for the order of the day.

His Lordship was seconded by Lord North, who entered pretty fully into the merits.

Mr. T. Townshend remarked with some degree of severity on some expressions which fell from his Lordship.

The question being at length put on the Colonel's motion, it passed in the negative; this made way for Lord Beauchamp's motion, which passed in the affirmative, there not being more than three or four dissenting voices.

Mr. Tomkyns, from the Commissioners of the Customs attended, and laid before the assembly several accounts relative to linens exported and imported, which were referred to the Linen Committee.

Proceeded on the state of the linen manufactory, several persons attended and were examined.

April 15. LORD NORTH presented to the House the letters which he had lately received from America, which were referred to the Committee upon American Papers; after which he presented the Bill, which he moved for before the holidays, to regulate the Civil Government of the Province of Massachusetts Bay; the breviat of which was read, containing the propositions which, in moving for the Bill, he had mentioned as the ground of it, with this addition and alteration, "that the nomination of the Council should be by the Crown." He said, in this Bill there would be no negative voice in the Council; nor was the Lieutenant Governor and Secretary to be of the Council, unless nominated by his Majesty; that the Council would have much the same power as before, except the nomination of judicial officers; that he had altered the mode of choosing of juries, from the hints that were thrown out the other day in the debate by a noble Lord (George Germaine); that the principle on which our juries were formed seemed to be highly approved of, and that of the juries of America disapproved of; that he had now adopted the mode of choice as near the method of choosing the juries in England as possible; that this was a regulation of a very nice kind; and if gentlemen did not like to have it made part of the present Bill, it might be separated and made a Bill of itself.

Mr. R. FULLER gave notice to the House, that he intended to move for a Committee to enquire into the tea duty on Thursday next, to see whether or not it was possible to repeal that Act before the present one took place.

Mr. Dempster desired to ask the noble Lord, by whom the Governors and Judges were appointed formerly, and by whom paid.

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Lord North. LORD NORTH said, the Judges were paid by the Crown ; that their salaries were to accrue out of the duties chargeable on the tea.

Mr.  
Dowdeswell.

Mr. DOWDESWELL said, he was unwilling to let the day pass without some observations on the Bill, as it was brought in upon a different plan to what it was moved. He observed, that Government had now received sufficient advice for regulating their conduct, and coming to some decision about what was proper to be done ; but he observed, the further they went the worse they were ; that the House had now a Bill before them, which was calculated to destroy the charter of the province of Massachusetts Bay ; that, if indeed we were now to make a new charter for governing and regulating the number of emigrants that are daily going to America, we should, perhaps, make it in a different manner, and suit it more properly to the disposition of the times ; but I wish, says he, to see no new charter granted. The Americans have laboured with an unwearied industry, and flourished for near fourscore years under that democratic charter ; they have increased their possessions, and improved their lands to a pitch we could not expect, and we have reaped the benefit of their labour, yet you are now going to destroy that very charter which has subsisted to the mutual benefit of both this country and America ; the charter which they have breathed a spirit of liberty superior to any thing either of the former or present times. It was granted in King William's time, and is more adapted to the spirit of a free people, than any charter that can possibly be framed by any Minister now ; but, I hope, before this Bill passes, that you will, at least, recollect yourselves in a cool, dispassionate manner, and look upon Americans as your children, and call them by whatever name you will, rebellious or disobedient, you will consider at the same time, that they are forward children, that there are also peevish parents, and that the ill humour and disposition of a child is oftentimes brought about by the petulant obstinacy of a foolish parent. The ridiculous doctrine that parents are apt to instil into their children, of "you shall do it—you shall do it," is oftentimes the means of enforcing the same disposition in the child, of "I won't." I hate that absurd obstinacy, of "you shall," and I "won't," between parent and child. You are not now contending for a point of honor, you are struggling to obtain a most ridiculous superiority, to which I hardly know a name bad enough to stamp it with. The regulations which you are going to enact, will be so inadequate and so improper a remedy, that in my opinion it would be better to give up the whole, than correct in such a violent and imprudent manner ; let me at least advise temper

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in your proceedings, and that whatever is done, it may not be effected with rigour and severity.

Mr. POWNAL rose to give the House an account of the Mr. Pownal mode in which juries were chosen in America; the House at first did not much attend, but his great and extensive knowledge in American affairs, soon drew that attention to what he said, which his abilities so justly deserved. He gave an account in what manner the counsel were chosen heretofore; that they were elected by the whole Legislature, and not (as had been mistakenly represented) by the people at large; that the Select Men were a kind of Aldermen, much the same as those in corporations in England; that about forty were chosen in each town, after which the remaining ones were generally appointed as persons proper to serve upon juries, from which five or six people were taken, as occasion required; that the grand juries were struck off from capital men, who were appointed for that purpose. He said "great inconvenience would arise from the town meetings not being held without the consent of the Governor; that all business of a municipal nature was done at a town meeting; that these towns were, in many places, 300 miles from the capital, and that business must stand still in many instances, in these towns, till the Governor's consent could be obtained. He concluded with making a motion for the laws of the province of Massachusetts Bay, as far as related to the present Bill, to be laid before that House."

The Bill was then read a first time, and ordered to be read a second time on the 22d.

Mr. Dowdeswell moved, that the Bill might be printed, which was agreed to. The House then resolved itself into a Committee, to consider further on his Majesty's message, and the American papers. Sir Charles Whitworth in the chair. The papers which he had that day presented, were then read. When the reading of these papers was finished,

LORD NORTH arose, and said, he meant now to propose Lord North a third Bill, which he hoped would effectually secure the province of Massachusetts Bay from future disturbances. The Bill that he meant to propose was, to give every man a fair and impartial trial; that the juries of that country, it was true, were not established after the manner in which our juries here are, and therefore were not so likely to give to each offender that impartial trial, which, by the laws of this country, he ought to be entitled to; for if it shall be found in that country, that a man is not likely to meet with a fair and impartial trial, the Governor will be impowered to send him to any of the other Colonies, where the same kind of spirit has not prevailed; but if it shall be thought that he cannot have such fair and impar-



tial trial in any of the Colonies, in that case he is to be sent to Great Britain to be tried before the Court of King's Bench, the expences of which trial were to be drawn for on the Customs in England. Unless such a Bill as this now proposed should pass into a law, the executive power will be unwilling to act, thinking they will not have a fair trial without it. I would not, says his Lordship, wish to see the least doubt or imperfection remain in the plan which we have adopted; if there does, the consequence may be that it may produce bloodshed. That the whole plan be clear and decisive; that every part of it may be properly supported; and I trust that such a measure as this, which we have now taken, will shew to that country, that this nation is roused to defend their rights, and protest the security of peace in its Colonies; and when roused, that the measures which they take are not cruel nor vindictive, but necessary and efficacious. Temporary distress requires temporary relief; I shall therefore only propose this Bill for the limited time of three or four years. We must consider, that every thing that we have that is valuable to us is now at stake; and the question is very shortly this: Whether they shall continue the subjects of Great Britain, or not. This I propose as the last measure that Parliament will take; after which, it requires, that his Majesty's servants shall be vigilant in the execution of their duty, and keep a watchful eye over every encroachment against the power we shall now pass, and not suffer the least degree of disobedience to our measures to take place in that country. Such a watchful and careful eye to prevent the first rise of disobedience, may be a sure preventive against future consequential mischiefs. The usual and customary relief of troops that is ordered for that country, is ordered, in the first place, to Boston, four regiments being the usual relief. Governor Hutchinson comes home, and his Majesty has appointed General Gage as Commander and Governor in Chief; a man whose great abilities, and extensive knowledge of that country, will give him a superior advantage, and his occasional residence there will prevent him from shewing any impolitic partiality to the Americans, and thereby enforce a due observance to those measures which we have taken, and shall send out. There is one thing I much wish, which is, the punishment of those individuals who have been the ring-leaders and forerunners of these mischiefs. Our attention will be continually active in that point. A prosecution has been already ordered against them by his Majesty's Servants, but I cannot promise myself any very good effect until this law shall have reached the province. We must particularly guard against any illegal or ineffectual proceedings, or else, after all  
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our trouble, we shall find ourselves at last in the same dilemma we were in at first. We must observe a perfect innocence, and a conscientious avoidance of the breach of any laws. His Majesty's Servants, I make no doubt, will be thoroughly watchful against such breach, nor will they at any time proceed upon flight grounds. They have the happiness to be assisted by the ablest lawyers, who have both great resolution and abilities; and guarded by such outlines, I make no doubt, that that spirit of disobedience, which has hitherto unfortunately prevailed, will be tempered and brought to reason by a due observance of those measures which we have now taken, and, I trust, will secure to us the blessings of peace, radicated out of the boiling disturbances and violent spirit of opposition in that country. When those measures are pursued with that resolution, and those abilities which I have mentioned, I doubt not the event will be advantageous and happy to this country. I have no more, Sir, says his Lordship, to add, but with permission will make the motion, "That the Chairman be directed to move the House, that leave be given to bring in a Bill for the impartial Administration of Justice, in the Cases of Persons questioned for any Acts done by them in the Execution of the Laws, or for the Suppression of the Riots and Tumults in the Province of Massachusetts Bay, in New England."

COLONEL BARRE—I rise with great unwillingness to oppose this measure in its very infancy, before its features are well formed, or to claim that attention which this House seems to bestow with so much reluctance on any arguments in behalf of America. But I must call you to witness, that I have been hitherto silent, or acquiescing, to an unexpected degree of moderation. While your proceedings, severe as they were, had the least colour of foundation in justice, I desisted from opposing them; nay more—though your Bill for stopping up the Port of Boston contained in it many things most cruel, unwarrantable, and unjust, yet as they were couched under those general principles of justice, retribution for injury, and compensation for loss sustained, I not only desisted from opposing, but assented to its passing. The Bill was a bad way of doing what was right; but still it was doing what was right. I would not therefore, by opposing it, seem to countenance those violences which had been committed abroad; and of which no man disapproves more than I do.

Upon the present question I am totally unprepared. The motion itself bears no sort of resemblance to what was formerly announced. The noble Lord and his friends have had every advantage of preparation. They have reconnoitred the field, and chosen their ground. To attack them in these circum-

stances may, perhaps, favour more of the gallantry of a soldier than of the wisdom of the senator.

But, Sir, the proposition is so glaring; so unprecedented in any former proceedings of Parliament; so unwarranted by any delay, denial, or perversion of justice in America; so big with misery and oppression to that country, and with danger to this—that the first blush of it is sufficient to alarm and rouse me to opposition.

It is proposed to stigmatize a whole people as persecutors of innocence, and men incapable of doing justice; yet you have not a single fact on which to ground that imputation. I expect the noble Lord would have supported this motion by producing instances of the officers of Government in America having been prosecuted with unremitting vengeance, and brought to cruel and dishonorable deaths by the violence and injustice of American juries. But he has not produced one such instance; and I will tell you more, Sir—he cannot produce one. The instances which have happened are directly in the teeth of his proposition. Captain Preston and the soldiers, who shed the blood of the people, were fairly tried, and fully acquitted. It was an American jury, a New England jury, a Boston jury, which tried and acquitted them. Captain Preston has, under his hand, publicly declared, that the inhabitants of the very town in which their fellow-citizens had been sacrificed, were his advocates and defenders. Is this the return you make them? Is this the encouragement you give them to persevere in so laudable a spirit of justice and moderation? When a Commissioner of the Customs, aided by a number of ruffians, assaulted the celebrated Mr. Otis in the midst of the town of Boston, and with the most barbarous violence almost murdered him, did the mob, which is said to rule that town, take vengeance on the perpetrators of this inhuman outrage against a person who is supposed to be their demagogue? No, Sir, the law tried them; the law gave heavy damages against them; which the irreparably injured Mr. Otis most generously forgave upon an acknowledgement of the offence. Can you expect any more such instances of magnanimity under the principle of the Bill now proposed?

But the noble Lord says, “We must now shew the Americans that we will no longer sit quiet under their insults.” Sir, I am sorry to say that this is declamation, unbecoming the character and place of him who utters it. In what moment have you been quiet? Has not your Government for many years past been a series of irritating and offensive measures, without policy, principle, or moderation? Have not your troops and your ships made a vain and insulting parade in their streets and  
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in their harbours? It has seemed to be your study to irritate and inflame them. You have stimulated discontent into disaffection, and you are now goading that disaffection into rebellion. Can you expect to be well informed when you listen only to partizans? Can you expect to do justice when you will not hear the accused?

Let us consider, Sir, the precedents which are offered to warrant this proceeding—the suspension of the Habeas Corpus Act in 1745—the making smugglers triable in Middlesex, and the Scotch rebels in England. Sir, the first was done upon the most pressing necessity, *flagrante bello*, with a dangerous rebellion in the very heart of the kingdom; the second, you well know, was warranted by the most evident facts: armed bodies of smugglers marched publicly without presentment or molestation from the people of the county of Sussex; who, even to their magistrates, were notoriously connected with them. They murdered the officers of the revenue, engaged your troops, and openly violated the laws. Experience convinced you, that the juries of that, and of the counties similarly circumstanced, would never find such criminals guilty; and upon the conviction of this necessity you passed the Act. The same necessity justified the trying Scotch rebels in England. Rebellion had reared its dangerous standard in Scotland, and the principles of it had so universally tainted that people, that it was manifestly in vain to expect justice from them against their countrymen. But in America, not a single act of rebellion has been committed. Let the Crown law officers, who sit by the noble Lord, declare, if they can, that there is upon your table a single evidence of treason or rebellion in America. They know, Sir, there is not one, and yet are proceeding as if there were a thousand.

Having thus proved, Sir, that the proposed Bill is without precedent to support, and without facts to warrant it; let us now view the consequences it is like to produce. A soldier feels himself so much above the rest of mankind, that the strict hand of the civil power is necessary to controul the haughtiness of disposition which such superiority inspires. You know, Sir, what constant care is taken in this country to remind the military that they are under the restraint of the civil power. In America their superiority is felt still greater. Remove the check of the law, as this Bill intends, and what insolence, what outrage may you not expect? Every passion that is pernicious to society will be let loose upon a people unaccustomed to licentiousness and intemperance. On the one hand will be a people who have been long complaining of oppression, and see in the soldiery those who are to enforce it upon them;

on the other, an army studiously prepossessed with the idea of that people being rebellious, unawed by the apprehension of civil controul, and actuated by that arbitrary spirit which prevails even among the best of troops. In this situation the prudent officer will find it impossible to restrain his soldiers, or prevent that provocation which will rouse the tamest people to resistance. The inevitable consequence will be, that you will produce the rebellion you pretend to obviate.

I have been bred a soldier; have served long. I respect the profession, and live in the strictest habits of friendship with a great many officers: but there is not a country gentleman of you all, who looks upon the army with a more jealous eye, or would more strenuously resist the setting them above the controul of the civil power. No man is to be trusted in such a situation. It is not the fault of the soldier, but the vice of human nature, which, unbridled by law, becomes insolent and licentious, wantonly violates the peace of society, and tramples upon the rights of human kind.

With respect to those gentlemen who are destined to this service, they are much to be pitied. It is a service, which an officer of feeling and of worth must enter upon with infinite reluctance. A service, in which his only merit must be, to *hear much, and do little*. With the melancholy prospect before him of commencing a civil war, and embruing his hands in the blood of his fellow subjects, his feelings, his life, his honor are hazarded, without a possibility of any equivalent or compensation. You may perhaps think a law, founded upon this motion, will be his protection. I am mistaken if it will. Who is to execute it? He must be a bold man indeed who makes the attempt. If the people are so exasperated, that it is unsafe to bring the man who has injured them to trial, let the Governor who withdraws him from justice look to himself. The people will not endure it; they would no longer deserve the reputation of being descended from the loins of Englishmen, if they did endure it.

When I stand up as an advocate for America, I feel myself the firmest friend of this country. We stand upon the commerce of America. Alienate your Colonies, and you will subvert the foundation of your riches and your strength. Let the banners of rebellion be once spread in America, and you are an undone people. You are urging this desperate, this destructive issue. You are urging it with such violence, and by measures tending so manifestly to that fatal point, that, but that a state of madness only could inspire such an intention, it would appear to be your deliberate purpose. In assenting to your late Bill I resisted the violence of America, at the hazard of  
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my popularity there. I now resist your phrenzy at the same risk here. You have changed your ground. You are becoming the aggressors, and offering the last of human outrages to the people of America, by subjecting them, in effect, to military execution. I know the vast superiority of your disciplined troops over the provincials; but beware how you supply the want of discipline by desperation. Instead of sending them the Olive Branch, you have sent the naked sword. By the Olive Branch I mean a repeal of all the late laws, fruitless to you, and oppressive to them.

Ask their aid in a constitutional manner, and they will give it to the utmost of their ability. They never yet refused it, when properly required. Your Journals bear the recorded acknowledgments of the zeal with which they have contributed to the general necessities of the State. What madness is it that prompts you to attempt obtaining that by force which you may more certainly procure by requisition? They may be flattered into any thing, but they are too much like yourselves to be driven. Have some indulgence for your own likeness; respect their sturdy English virtue; retract your odious exertions of authority, and remember that—the first step towards making them contribute to your wants, is to reconcile them to your Government.

It was observed that Lord North trembled and faltered at every word of his motion.

SOLICITOR GENERAL—I take this Bill to be nothing Solicitor General. more than conveying a general security to all persons whatsoever, as well as the military. It is necessary there should be a new reform of the laws, and a proper security under such magisterial authority. The Americans do not attack the law, otherwise than attacking the Legislature that made it. It is not this nor that law that is particularly disagreeable to them; they say, no laws shall be put in force there; you say, all laws shall. A singular case may happen, of not meeting with that fair trial which is expected; this Bill will be a remedy for it; it is a temporary relief for the limited time of three years. They have, in that country, an unwillingness to obey all magistrates, who have authority from this country, acting under its laws; nay, they even dispute the commission, and may not allow the appointment; a trial, in such a case, would certainly be doubtful. The revenue law gives the power of trial in another country; this case is a direct precedent of that impartial trial at which you want to come; for if you cannot have it in one country, you must remove and strive to find it in another. No man will deny me the doctrine, that such fair trial ought and must be had. It is now no longer a question of expediency,  
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it is a question of necessity; and it will be found necessary, at all events, to break into their charters, if you mean to produce that subordination which you are seeking; but I hope, and firmly wish, that even the idea of your authority being known to them, will at once prevent the exertion of it. I agree with the Honorable Gentleman, that the Olive Branch ought to go in one hand, but the sword should be carried in the other. Peace will be established upon proper principles, when there is a power to enforce it; and your authority once established, I would then drop the point of the sword, and make use of the Olive Branch, as far and as much as possible. I could very easily tell the colour of all which has already happened in America, and the ground from which it arose; but I stop short, hoping that when they see and know that you have both courage and firmness to proceed in your plan, it will prevent even the exertion of this necessary measure. I would not have them be too confident in our weakness and irresolution, but adopt the measure of reformation, as arising and occasioned by our firmness and courage in the exertion of those powers which are entrusted to us for the preservation of the peace of our Colonies.

Captain  
Phipps.

**CAPTAIN PHIPPS.**—I commend much, and am glad to hear of the appointment of General Gage. I think his abilities and knowledge of the people of that country will sufficiently endear to him the affections of them, and be a means of inducing them to obey those measures which are to be executed under his direction; and as much approve of the removal of one of the worst, one of the most exceptionable servants the Crown ever had, I mean Governor H. I wish to see the Bill before us without the trial by jury, for I always apprehended that the advantage of such trial was from the vicinage, and by men who knew the circumstances, as well as the characters of the offenders; nor do I wish to see men sent to England to be tried. These men in America are all brought up to mercantile business, and I don't know any recompence or satisfaction whatever that can be made to a man for the loss of his time in coming here and going back. I wish much for unanimity, because I think it would add a chief support to our measures; but I think it impossible to send a man from America to be tried here, when we are three thousand miles asunder. It would be better that America and England were separated entirely, than to offer to bring men here to be tried. I wish this Bill to go on without that trial by jury. I wish much also the removal of Governor B. because he was the first man who opposed a revenue law. He did it upon the same principle as a smuggler does, because he would lose by it.

Bill

Bill goes on in its present form, it will extort from me that opinion in my vote of affirmative, which I am unwilling to give.

Mr. T. TOWNSHEND—I cannot, Sir, agree with my <sup>Mr. T. Townshend</sup> Honorable Friend, in approving of the removal of Governor Hutchinson. The Bill is one of those measures to which I can easily give my consent, as, I think, it contains a security that the lives of innocent men may be safe. I approve much of the appointment of General Gage; and as I don't find that the troops are with him, I must express a wish, that they may be able to arrive time enough to prevent a riot, sooner than to quell one, and to let America see we don't want to quarrel with them upon mere punctilio; don't let us, for God's sake, when we have asserted our authority to all that we wish to do, and enforced that obedience, continue that little paltry duty upon tea; let us then nobly lay aside those little, teasing, irritating measures, having once gained the grand point of peace and submission to our laws.

Mr. DOWDESWELL—I am the last man to entertain <sup>Mr. Dowdeswell</sup> prejudices against juries. I revere and honor the institution. I rejoice also that Governor Hutchinson is removed, because he has not acted as he ought to do, either to this country or America.

LORD CARMATHEN—I do not mean, Sir, to trouble <sup>Lord Carmathen</sup> the House long, but I hope I am justified, by the importance of the question, in delivering my sentiments. Great Britain neither can nor ought to sit silent, and behold the riots and disturbances that have been committed in America; committed, I say, by a people sent out from this country, as it were from our own bowels; to see these men disobey the laws and precepts of Great Britain, and to sit tamely, and take no notice, would be insipid conduct, highly unworthy the British Legislature. For what purpose were they suffered to go to that country, unless the profit of their labour should return to their masters here? I think the policy of colonization is highly culpable, if the advantages of it should not redound to the interests of Great Britain. I cannot see this Act in any other light, than as giving that same degree of relief to every subject in America, in the same manner as it gives protection and security to the military, I shall therefore give my affirmative, and hope, upon some future day, to express my further sentiments upon that part, particularly relating to the trial by juries.

LORD NORTH—I rise once more to wipe off the asper- <sup>Lord North</sup> sion that has been thrown upon Governor Hutchinson, and I am much surprised to find that it was the sentiment of even



one Gentleman in this House, that the removal of Governor Hutchinson was considered as part of the merit of this measure. I do not know a man who has a greater share of merit; nor did I ever hear any charge brought against him. He was shamefully abandoned in the execution of his duty, by those who ought to have supported him. Governor Hutchinson had before this affair desired and obtained leave to come home. A ship is now arrived at Bristol, in which he had taken a passage, but as the government of the province, in those disturbed times, would have fallen into the hands of the Council in his absence, in case of the death of the Lieutenant Governor, who was then very ill, he chose rather to adhere to his duty, and stay in that country, to endeavour to quiet those alarming disturbances. This surely, Sir, was acting the part of a faithful servant of the Crown; I would only tell the House, that Governor Hutchinson is not recalled home upon account of any misconduct; and that he is not here at present is certainly a mark of his duty, and deserves the thanks of this Assembly.

Captain  
Phipps.

CAPTAIN PHIPPS rose to explain, and said, That he did not blame Governor Hutchinson for his conduct without reason, which he would give to the House; he thought him culpable upon two occasions, the one for suffering his son to be appointed a consignee of the tea, and the other for setting at defiance the Assembly. I think him also highly blameable (says he) for not acting without his Council. Here seems to be in him a pretended mildness, and a determined prepossession of irritation.

General  
Conway.

GENERAL CONWAY—We ought not, Sir, I think, to dive into people's characters; the more important business requires our serious consideration; the measure that is now before you is full of difficulties; it has given a serious turn to his Majesty's Ministers; and this Bill is the produce of many laboured hours, which we may felicitate ourselves upon. I shall not give my opinion now. I am for this plan, and for giving it its due consideration, though I am apt to think that this measure will have no other tendency than a distrust of the Americans. I am a friend to America. There must be a kind of connection with Great Britain, which is necessary for the carrying on the measures of Government. Let us preserve temper in our proceedings. The Americans have obeyed the laws, except that of taxation; and I should be glad to hear how this olive branch, that is so much talked of, is to go out. Nothing less than non-taxation, in my opinion, can be the olive branch; if the system of taxation is to be maintained, I am sure it will give trouble enough; but if his Majesty's  
Ministers

Ministers have the least thoughts of putting an end to the taxation, let them adopt it now at once, and it will put an end to every thing.

Mr. VAN—I don't rise to give the House much trouble, Mr. Van. but just to make one observation upon what an Honorable Gentleman has said; that if we will not tax that country, they will return to their duty. I do most heartily agree with him; I believe they will; but if they oppose the measures of Government that are now sent out, I would do as was done of old, in the time of ancient Britons, I would burn and set fire to all their woods, and leave their country open, to prevent that protection they now have; and if we are likely to lose that country, I think it better lost by our own soldiers, than wrested from us by our rebellious children.

The question was then put, and leave was given to bring in the Bill without a division.

April 19. Mr. FULLER made the motion, which he proposed, relative to the repeal of the tea duty. He opened it with declaring, that the Boston Port Bill, and the other regulations, would be totally ineffectual without repealing the tea duty. He said, he was very sure that the motion would be productive of a great deal of good; that it could not possibly do any harm. He spoke much to the temper and feelings of the House; and the arguments which he used served rather to point out the former considerations which the House had had upon this question, and that the subject of taxation of America was no new matter. After a short opening, he concluded by making the following motion: "That this House will, on this day sevensnight, resolve itself into a Committee of the whole House, to take into consideration the duty of three-pence per pound weight upon tea, payable in all his Majesty's dominions in America, imposed by an Act made in the seventh year of his present Majesty, intituled, An Act for granting certain Duties in the British Colonies and Plantations in America, &c. &c."

Mr. PENNANT seconded the motion, and said, He wished much it might go to a Committee, because he thought the principle upon which the Bill was established, as set forth in the preamble, was unjust and impolitick; that it changed the nature of their constitution, and it took away the power which had always been held sacred to an Englishman, that of levying their own money; that it was similar to raising the ship money in King Charles's time; that those who condemned that measure must of course condemn this, the one being as arbitrary and unconstitutional as the other. He said, he sub-

scribed to the supremacy of Parliament, but he thought there was a plain method for raising by requisition the money which you wanted; that the people of that country would be better able to ascertain how, and in what manner the same ought to be raised, on account of the local circumstances which may attend it. The people of Boston will be the first victims to your resentment; repeal this Bill, and you will meet with support from the rest of the Colonies.

**Mr. Rice.** **MR. RICE**—This, Sir, is a motion upon the plan of reconciliation, and there is no man would go further than myself to correct any thing that I thought would be the means of bringing about such reconciliation; but I cannot concur in any thing that endangers the supremacy of Parliament. Let us but consider the consequence of such a repeal at this present time. Whenever we have made the least concession, they have always required more; they will think that we acknowledge that we have no right, if we should repeal this law. The objection has hitherto been made on the ground of taxation. I will consider truly what that ground is; but I very much fear that they object to that controul which may be improper to take off; they submitted to external taxation, to internal they always objected. I will take that period, then, as the fixed era for their allowing taxation, by the repeal of the Stamp Act, as an internal tax. If you repeal this Act, you will allow that you have no right. I desire to keep my stand here, and not to give up that authority which I am clear in. I wish no new taxes to take place, but I wish to keep the right and controul, which if you give up, you part with all. The interest of America is the interest of Great Britain, and I would wish to make their happiness the object, and do that which would be satisfactory to their minds; but, in this present case, I am greatly afraid if you give up this, you will be required to give up much more.

**Captain Phipps.**

**CAPTAIN PHIPPS**—I should be the last person in the House to give trouble, if the importance of this question did not urge me to it; but I cannot take the Acts of the province of Massachusetts Bay to be the opinion of all America, nor those of a few designing interested men in Boston, to be the disposition of the whole province at large. I perfectly agree that the Americans cannot resist, and that the doctrine of supremacy is good; but I think the Americans have a real security in Parliament, which is, that you can do nothing that does not affect Great Britain equally with America. I will consider the present measure as an act with which they cannot comply, or, more properly, that they will not. In the light, then, of a mercantile tax, it is trifling and ridiculous; as a  
matter

matter of revenue, it is absurd. If they cannot refit, they will find some means of avoiding it. God and nature has given them an extensive coast, and of course an opportunity of smuggling. You will injure the manufactures of this country in a very high degree; I do not mean by their non-importation agreements, but by making them prefer the manufacture which is worse than your's, from your enemies, to those of this country, which is better. May the right long remain in the expediency of not exercising it. I would only have it called for at particular times, when the emergency of affairs requires it, and when the whole of Great Britain and America are to receive equal benefit; but if you exercise that right when you have no occasion or urgent reason for raising a revenue, you will throw the quiet man of that country into the factious man. But how can you expect an obedience of that country, when the emoluments of it are taken from them to supply the luxuries of men who live in this? The province of Virginia, before Lord Botetourt was made Governor, was annually plundered of 5000*l. per annum*, by the non-residence of former Governors. I knew a person in that country who held eleven offices, the emoluments of which were appropriated to the support of men of bad description in this. I approved much of the Stamp Act, as a necessary measure to destroy that nest of small petty-fogging attorneys, whose business it was to create disturbances and law suits, and live by the plunder. There is a wide difference between giving up a right and exercising it, but I cannot see that Parliament in fact gives up that right, when they say it is not expedient to exercise it. I therefore wish much for the repeal of this Act, which I think you will one day or other be forced to do.

Mr. STEPHEN FOX—I rise, Sir, much in favour of the motion on your table; and I think the only reason that has been urged against it, is, that America cannot refit. Do not, Sir, let us exercise such a conduct, merely to shew our power. I am far from saying we ought not to exert this power upon proper occasions, but to make use of it by way of irritation, is to me the highest ill policy, as well as absurdity; I shall therefore give my hearty affirmative to the motion.

Mr. CORNEWALL—I wish Gentlemen would take into consideration the justice of their former proceedings, and the policy and expediency which the present times require and occasion. I don't love entering into the long debates which have formerly happened upon this business; I think it wrong, and wish only to pursue the present expediency of the measure. The proposition which we are now called upon to decide, is simply this: Whether the whole of our authority over  
the

the Americans shall be taken away? It has been said, we have irritated the Americans, by taxes that are neither for the purpose of revenue, nor for commercial regulations. That tax will be found to produce much more than Gentlemen think; and however little it may produce, the taking of it off at this time would be both impolitick and imprudent. Much has also been said about gaining the affections of the Americans. If this was a new question, I should think the gaining of their affections is worth a thousand times the produce of the tea duty. It is true, Sir, that England is loaded with a debt of a very considerable amount, on account of the last American war; and it is but just and right that they should bear their proportion of expence. Gentlemen say, that the proposition should have been made to them by way of requisition. If I saw or apprehended the least inclination from them to assist us in any other mode as to taxation, I would readily give up this particular tax; but has any one offered any thing on this head? Has any person been authorised to treat; or any Ambassador sent on that occasion? I would meet them half way in this proposition. It has been said, that all their labours are centered in this country, and that we should injure ourselves by laying this tax. I look upon the interest of this country to be so nearly connected with that, that our own actions will be the guide of their security. America does not meet you on the mode of taxation, but upon the question of right; and, for my part, I cannot comprehend the distinction between internal and external taxation. You repealed the Stamp Act; did America then receive this boon of repeal cheerfully? Disturbances have been fomenting and growing ever since. Some few years past you repealed three or four of these taxes; I wish much the debate on this question had then been agitated. The question now is, Whether it is prudent to repeal this tax at this critical juncture? The Americans say, restore us to the same situation we were in before the Stamp Act passed. Suppose we do, we put them in a worse situation than they are now in. The consumer of a pound of tea before that Act took place paid twelve-pence, by this Act he pays only three-pence, the consumer therefore certainly gains nine-pence by every pound he uses. This tax upon tea is certainly not uncommercial, because tea is much cheaper now than before; and therefore I think it cannot have any aspect of grievance as a commercial tax. What then are we to expect, if we shew such a pusillanimous timidity in repealing this tax, merely because they object to it? On the question of right, they will certainly consider us in a more contemptuous light than they ever yet did. Let me ask, what answer will they

they give, when, after this, the Americans shall voluntarily apply to repeal the duty on wine, &c. ? The same principle as operates for the repeal of this, will go to that. I do not see what answer you can give, nor where the complaint is likely to stop, until you have given up the whole ; and by that means America itself. If you persist in the measures you have began with, I think there is not a doubt of your succeeding, and become, if I may use the word, victorious ; but I would have this victory obtained by a firm, consistent, just, and manly conduct. I don't see what line of discrimination you can draw ; for many parts of America have in a measure disobeyed the precepts of this country, and behaved much in the same manner as Boston. It has been said, and it is a doctrine I readily agree to, that you ought to twine the olive branch round the sword ; but if, Sir, they will return to their duty as they ought to do, the sword will have no edge. Let us not give way to false conceits, or factious proceedings ; be calm, and persist in a just conduct. Deep as our debt is on account of America, you will be deprived of a fourth part of the revenue, in the day when the system of taxation will be found necessary for carrying on the supplies of war, and the exigencies of Government ; and when business must be stopped, without some resource of supply, there then won't be found two voices about taxing America.

Mr. Cornwall's throwing reflections on the repeal of the Stamp Act, and on the conduct of the Rockingham Administration, called up Mr. EDMUND BURKE ; who, on this occasion, is universally allowed to have excelled himself, and to have made the most masterly speech that has perhaps been ever uttered in a public assembly. The following is a correct copy of it : Mr. Edm. Burke.

Sir, I agree with the Honorable Gentleman who spoke last, that this subject is not new in this House. Very disagreeably to this House, very unfortunately to this nation, and to the peace and prosperity of this whole empire, no topic has been more familiar to us. For nine long years, session after session, we have been lashed round and round this miserable circle of occasional arguments and temporary expedients. I am sure our heads must turn, and our stomachs nauseate with them. We have had them in every shape ; we have looked at them in every point of view. Invention is exhausted ; reason is fatigued ; experience has given judgment ; but obstinacy is not yet conquered.

The Honorable Gentleman has made one endeavour more to diversify the form of this disgusting argument. He has thrown out a speech composed almost entirely of challenges.

Challenges

Challenges are serious things; and as he is a man of prudence as well as resolution, I dare say he has very well weighed those challenges before he delivered them. I had long the happiness to sit at the same side of the House, and to agree with the Honorable Gentleman on all the American questions. My sentiments, I am sure, are well known to him; and I thought I had been perfectly acquainted with his. Though I find myself mistaken, he will still permit me to use the privilege of an old friendship; he will permit me to apply myself to the House under the sanction of his authority; and, on the various grounds he has measured out, to submit to you the poor opinions which I have formed, upon a matter of importance enough to demand the fullest consideration I could bestow upon it.

He has stated to the House two grounds of deliberation; one narrow and simple, and merely confined to the question on your paper: the other more large and more complicated; comprehending the whole series of the Parliamentary proceedings with regard to America, their causes, and their consequences. With regard to the latter ground, he states it as useless, and thinks it may be even dangerous, to enter into so extensive a field of enquiry. Yet, to my surprise, he had hardly laid down this restrictive proposition, to which his authority would have given so much weight, when directly, and with the same authority, he condemns it; and declares it absolutely necessary to enter into the most ample historical detail. His zeal has thrown him a little out of his usual accuracy. In this perplexity what shall we do, Sir, who are willing to submit to the law he gives us? He has reprobated in one part of his speech the rule he had laid down for debate in the other; and, after narrowing the ground for all those who are to speak after him, he takes an excursion himself, as unbounded as the subject and the extent of his great abilities.

Sir, when I cannot obey all his laws, I will do the best I can. I will endeavour to obey such of them as have the sanction of his example; and to stick to that rule, which, though not consistent with the other, is the most rational. He was certainly in the right when he took the matter largely. I cannot prevail on myself to agree with him in his censure of his own conduct. It is not, he will give me leave to say, either useless or dangerous. He asserts, that retrospect is not wise; and the proper, the only proper, subject of enquiry is, "not how we got into this difficulty, but how we are to get out of it." In other words, we are, according to him, to consult our invention, and to reject our experience. The mode of  
deliberation

motives to the repeal, or had they been at all attended to, tea would have been the last article we should have left taxed for a subject of controversy.

Sir, it is not a pleasant consideration; but nothing in the world can read so awful and so instructive a lesson, as the conduct of Ministry in this business, upon the mischief of not having large and liberal ideas in the management of great affairs. Never have the Servants of the State looked at the whole of your complicated interests in one connected view. They have taken things by bits and scraps, some at one time and one pretence, and some at another, just as the pressed, without any sort of regard to their relations or dependencies. They never had any kind of system, right or wrong; but only invented occasionally some miserable tale for the day, in order meanly to sneak out of difficulties into which they had proudly strutted. And they were put to all these shifts and devices, full of meanness and full of mischief, in order to pilfer piece-meal a repeal of an Act, which they had not the generous courage, when they found and felt their error, honorably and fairly to disclaim. By such management, by the irresistible operation of feeble councils, so paltry a sum as three-pence in the eyes of a financier, so insignificant an article as tea in the eyes of a philosopher, have shaken the pillars of a Commercial Empire that circled the whole globe.

Do you forget that in the very last year, you stood on the precipice of general bankruptcy? Your danger was indeed great. You were distressed in the affairs of the East-India Company; and you well know what sort of things are involved in the comprehensive energy of that significant appellation. I am not called upon to enlarge to you on that danger, which you thought proper yourselves to aggravate, and to display to the world with all the parade of indiscreet declamation. The monopoly of the most lucrative trades, and the possession of imperial revenues, had brought you to the verge of beggary and ruin. Such was your representation—such, in some measure was your case. The vent of ten millions of pounds of this commodity, now locked up by the operation of an injudicious tax, and rotting in the warehouses of the Company, would have prevented all this distress, and all that series of desperate measures which you thought yourselves obliged to take in consequence of it. America would have furnished that vent, which no other part of the world can furnish but America; where tea is next to a necessary of life, and where the demand grows upon the supply. I hope our dear-bought East-India Committees have done us at least so much good, as to let us know, that without a more extensive sale of that article, our  
East-India



I speak with great confidence. I have reason for it. The Ministers are with me. They are at least convinced that the repeal of the Stamp Act had not, and that no repeal can have, the consequences which the Honorable Gentleman who defends their measures is so much alarmed at. To their conduct, I refer him for a conclusive answer to his objection. I carry my proof irresistibly into the very body of both Ministry and Parliament; not on any general reasoning growing out of collateral matter, but on the conduct of the Honorable Gentleman's Ministerial friends on the new revenue itself.

The Act of 1767, which grants this tea duty, sets forth in its preamble, that it was expedient to raise a revenue in America, for the support of the civil Government there, as well as for purposes still more extensive. To this support the Act assigns six branches of duties. About two years after this Act passed, the Ministry, I mean the present Ministry, thought it expedient to repeal five of the duties, and to leave (for reasons best known to themselves) only the sixth standing. Suppose any person, at the time of that repeal, had thus addressed the Minister\*. "Condemning, as you do, the repeal of the Stamp Act, Why do you venture to repeal the duties upon glass, paper, and painters colours? Let your pretence for the repeal be what it will, are you not thoroughly convinced, that your concessions will produce, not satisfaction, but insolence in the Americans; and that the giving up these taxes will necessitate the giving up of all the rest?" This objection was as palpable then as it is now; and it was as good for preserving the five duties as for retaining the sixth. Besides, the Minister will recollect, that the repeal of the Stamp Act had but just preceded his repeal; and the ill policy of that measure (had it been so impolitic as it has been represented), and the mischiefs it produced, were quite recent. Upon the principles therefore of the Honorable Gentleman, upon the principles of the Minister himself, the Minister has nothing at all to answer. He stands condemned by himself, and by all his associates old and new, as a destroyer, in the first trust of finance, of the revenues; and in the first rank of honour, as a betrayer of the dignity of his country.

Most men, especially great men, do not always know their well-withers. I come to rescue that noble Lord out of the hands of those he calls his friends; and even out of his own. I will do him the justice he is denied at home. He has not been this wicked or imprudent man. He knew that a repeal had no tendency to produce the mischiefs which give so much

\* Lord North, then Chancellor of the Exchequer.

alarm to his Honorable Friend. His work was not bad in its principle, but imperfect in its execution; and the motion on your paper presses him only to complete a proper plan, which, by some unfortunate and unaccountable error, he had left unfinished.

I hope, Sir, the Honorable Gentleman who spoke last, is thoroughly satisfied, and satisfied out of the proceedings of Ministry on their own favourite Act, that his fears from a repeal are groundless. If he is not, I leave him, and the noble Lord who sits by him, to settle the matter, as well as they can, together; for if the repeal of American taxes destroys all our Government in America—he is the man!—and he is the worst of all the repealers, because he is the last.

But I hear it rung continually in my ears, now and formerly,—“the preamble! what will become of the preamble, if you repeal this tax?”—I am sorry to be compelled so often to expose the calamities and disgraces of Parliament. The preamble of this law, standing as it now stands, has the lie direct given to it by the provisionary part of the Act; if that can be called provisionary which makes no provision. I should be afraid to express myself in this manner, especially in the face of such a formidable array of ability as is now drawn up before me, composed of the ancient household troops of that side of the House, and the new recruits from this, if the matter were not clear and indisputable. Nothing but truth could give me this firmness; but plain truth and clear evidence can be beat down by no ability. The Clerk will be so good as to turn to the Act, and to read this favourite preamble:

“Whereas it is expedient that a revenue should be raised in your Majesty’s dominions in America, for making a more certain and adequate provision for defraying the charge of the administration of justice, and support of civil Government, in such provinces where it shall be found necessary; and towards further defraying the expences of defending, protecting, and securing the said dominions.”

You have heard this pompous performance. Now where is the revenue which is to do all these mighty things? Five-sixths repealed—abandoned—funk—gone—lost for ever. Does the poor solitary tea duty support the purposes of this preamble? Is not the supply there stated as effectually abandoned as if the tea duty had perished in the general wreck? Here, Mr. Speaker, is a precious mockery—a preamble without an Act—taxes granted in order to be repealed—and the reasons of the grant still carefully kept up! This is raising a revenue in America! This is preserving dignity in England! If you repeal this tax in compliance with the motion, I readily admit

East-India revenues and acquisitions can have no certain connection with this country. It is through the American trade of tea that your East-India conquests are to be prevented from crushing you with their burthen. They are ponderous indeed; and they must have that great country to lean upon, or they tumble upon your head. It is the same folly that has lost you at once the benefit of the West and of the East. This folly has thrown open folding-doors to contraband; and will be the means of giving the profits of the trade of your Colonies to every nation but yourselves. Never did a people suffer so much for the empty words of a preamble. It must be given up. For on what principle does it stand? This famous revenue stands at this hour, on all the debate, as a description of revenue not as yet known in all the comprehensive (but too comprehensive!) vocabulary of finance—a preamble tax. It is indeed a tax of sophistry, a tax of pedantry, a tax of disputation, a tax of war and rebellion, a tax for any thing but benefit to the imposers, or satisfaction to the subject.

Well! but whatever it is, gentlemen will force the Colonists to take the teas. You will force them: Has seven years struggle been yet able to force them? O but, it seems, “we are in the right.—The tax is trifling—in effect it is rather an exoneration than an imposition; three-fourths of the duty formerly payable on teas exported to America is taken off; the place of collection is only shifted; instead of the retention of a shilling from the draw-back here, it is three-pence custom paid in America.” All this, Sir, is very true. But this is the very folly and mischief of the Act. Incredible as it may seem, you know that you have deliberately thrown away a large duty which you held secure and quiet in your hands, for the vain hope of getting one three-fourths less, through every hazard, through certain litigation, and possibly through war.

The manner of proceeding in the duties on paper and glass imposed by the same Act, was exactly in the same spirit. There are heavy excises on those articles when used in England. On export, these excises are drawn back. But instead of withholding the draw-back, which might have been done with ease, without charge, without possibility of smuggling; and instead of applying the money (money already in your hands) according to your pleasure, you began your operations in finance by flinging away your revenue; you allowed the whole draw-back on export, and then you charged the duty (which you had before discharged), payable in the Colonies; where it was certain the collection would devour it to the bone; if any revenue were ever suffered to be collected at all. One spirit pervades and animates the whole mass.

Could

Could any thing be a subject of more just alarm to America, than to see you go out of the plain high road of finance, and give up your most certain revenues and your clearest interests, merely for the sake of insulting your Colonies? No man ever doubted that the commodity of tea could bear an imposition of three-pence. But no commodity will bear three-pence, or will bear a penny, when the general feelings of men are irritated, and two millions of people are resolved not to pay. The feelings of the Colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden when called upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings, on the principle it was demanded, would have made him a slave. It is the weight of that preamble, of which you are so fond, and not the weight of the duty, that the Americans are unable and unwilling to bear.

It is then, Sir, upon the principle of this measure, and nothing else, that we are at issue. It is a principle of political expediency. Your Act of 1767 asserts, that it is expedient to raise a revenue in America; your Act of 1769, which takes away that revenue, contradicts the Act of 1767; and, by something much stronger than words, asserts, that it is not expedient. It is a reflection upon your wisdom to persist in a solemn Parliamentary declaration of the expediency of any object, for which, at the same time, you make no sort of provision. And pray, Sir, let not this circumstance escape you; it is very material; that the preamble of this Act, which we wish to repeal, is not declaratory of a right, as some gentlemen seem to argue it; it is only a recital of the expediency of a certain exercise of a right supposed already to have been asserted; an exercise you are now contending for by ways and means, which you confess, though they were obeyed, to be utterly insufficient for their purpose. You are therefore at this moment in the awkward situation of fighting for a phantom; a quiddity; a thing that wants not only a substance, but even a name; for a thing, which is neither abstract right, nor profitable enjoyment.

They tell you, Sir, that your dignity is tied to it. I know not how it happens, but this dignity of yours is a terrible incumbrance to you; for it has of late been ever at war with your interest, your equity, and every idea of your policy. Shew the thing you contend for to be reason; shew it to be common sense; shew it to be the means of attaining some useful end; and then I am content to allow it what dignity you please. But what dignity is derived from the perseverance  
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in absurdity, is more than ever I could discern. The Honorable Gentleman has said well—indeed, in most of his general observations I agree with him—he says, that this subject does not stand as it did formerly. Oh, certainly not! every hour you continue on this ill-chosen ground, your difficulties thicken on you; and therefore my conclusion is, remove from a bad position as quickly as you can. The disgrace, and the necessity of yielding, both of them grow upon you every hour of your delay.

But will you repeal the Act, says the Honorable Gentleman, at this instant when America is in open resistance to your authority, and that you have just revived your system of taxation? He thinks he has driven us into a corner. But thus pent up, I am content to meet him; because I enter the lists supported by my old authority, his new friends, the Ministers themselves. The Honorable Gentleman remembers, that about five years ago, as great disturbances as the present prevailed in America on account of the new taxes. The Ministers represented these disturbances as treasonable; and this House thought proper on that representation, to make a famous address for a revival, and for a new application of a Statute of H. VIII. We besought the King in that well-considered address, to enquire into treasons, and to bring the supposed traitors from America to Great Britain for trial. His Majesty was pleased graciously to promise a compliance with our request. All the attempts from this side of the House to resist these violences, and to bring about a repeal, were treated with the utmost scorn. An apprehension of the very consequences now stated by the Honorable Gentleman, was then given as a reason for shutting the door against all hope of such an alteration. And so strong was the spirit for supporting the new taxes, that the session concluded with the following remarkable declaration. After stating the vigorous measures which had been pursued, the speech from the Throne proceeds:

“ You have assured me of your firm support in the prosecution of them. Nothing, in my opinion, could be more likely to enable the well-disposed among my subjects in that part of the world, effectually to discourage and defeat the designs of the factious and seditious, than the hearty concurrence of every branch of the Legislature, in maintaining the execution of the laws in every part of my dominions.”

After this, no man dreamt that a repeal under this Ministry could possibly take place. The Honorable Gentleman knows as well as I, that the idea was utterly exploded by those who sway the House. This speech was made on the ninth day of May, 1769. Five days after this speech, that is, on the 13th of

of the same month, the publick circular letter, a part of which I am going to read to you, was written by Lord Hillsborough, Secretary of State for the Colonies. After reciting the substance of the King's Speech, he goes on thus :

" I can take upon me to assure you, notwithstanding insinuations to the contrary, from men with factious and seditious views, that his Majesty's present Administration have at no time entertained a design to propose to Parliament to lay any further taxes upon America, for the purpose of RAISING A REVENUE; and that it is at present their intention to propose, the next Session of Parliament, to take off the duties upon glass, paper, and colours, upon consideration of such duties having been laid contrary to the true principles of commerce.

" These have always been, and still are, the sentiments of his Majesty's present Servants; and by which their conduct in respect to America has been governed. And his Majesty relies upon your prudence and fidelity for such an explanation of his measures, as may tend to remove the prejudices which have been excited by the misrepresentations of those who are enemies to the peace and prosperity of Great Britain and her Colonies; and to re-establish that mutual confidence and affection, upon which the glory and safety of the British empire depend."

Here, Sir, is a canonical book of Ministerial scripture; the general epistle to the Americans. What does the gentleman say to it? Here a repeal is promised; promised without condition; and while your authority was actually resisted. I pass by the publick promise of a Peer relative to the repeal of taxes by this House. I pass by the use of the King's name in a matter of supply, that sacred and reserved right of the Commons. I conceal the ridiculous figure of Parliament, hurling its thunders at the gigantick rebellion of America; and then five days after, prostrate at the feet of those assemblies we affected to despise; begging them by the intervention of our Ministerial sureties, to receive our submission; and heartily promising amendment. These might have been serious matters formerly; but we are grown wiser than our fathers. Passing, therefore, from the constitutional consideration to the mere policy, does not this letter imply, that the idea of taxing America for the purpose of revenue is an abominable project; when the Ministry suppose none but factious men, and with seditious views, could charge them with it? Does not this letter adopt and sanctify the American distinction of taxing for a revenue? Does it not formally reject all future taxation on that principle? Does it not state the Ministerial rejection of such principle of taxation, not as the occasional, but the constant,

stant opinion of the King's Servants? Does it not say (I care not how consistently), but does it not say, that their conduct with regard to America has been always governed by this policy? It goes a great deal further. These excellent and trusty Servants of the King, justly fearful lest they themselves should have lost all credit with the world, bring out the image of their gracious Sovereign from the inmost and most sacred shrine, and they pawn him as a security for their promises—"His Majesty relies on your prudence and fidelity for such an explanation of his measures." These sentiments of the Minister, and these measures of his Majesty, can only relate to the principle and practice of taxing for a revenue; and accordingly Lord Botetourt stating it as such, did with great propriety, and in the exact spirit of his instructions, endeavour to remove the fears of the Virginian Assembly, lest the sentiments, which it seems (unknown to the world) had always been those of the Ministers, and by which their conduct in respect to America had been governed, should by some possible revolution, favourable to wicked American taxers, be hereafter counteracted. He addresses them in this manner:

"It may possibly be objected, that as his Majesty's present Administration are not immortal, their successors may be inclined to attempt to undo what the present Ministers shall have attempted to perform; and to that objection I can give but this answer: that it is my firm opinion, that the plan I have stated to you will certainly take place, and that it will never be departed from; and so determined am I for ever to abide by it, that I will be content to be declared infamous, if I do not to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am, or ever shall be legally invested, in order to obtain and maintain for the Continent of America that satisfaction which I have been authorized to promise this day, by the confidential Servants of our gracious Sovereign, who, to my certain knowledge, rates his honor so high, that he would rather part with his Crown, than preserve it by deceit\*."

; \* A material point is omitted by Mr. Burke in this speech, viz. "the manner in which the Continent received this Royal assurance." The Assembly of Virginia, in their Address in answer to Lord Botetourt's speech, express themselves thus: "We will not suffer our present hopes, arising from the pleasing prospect your Lordship hath so kindly opened and displayed to us, to be dashed by the bitter reflection that any future Administration will entertain a wish to depart from that plan, which affords the surest and most permanent foundation of publick tranquillity and happiness; no, my Lord, we are sure our most gracious Sovereign, under whatever changes may happen in his confidential Servants, will remain immutable in the ways of truth and justice, and that he is incapable of deceiving his faithful subjects; and we esteem your Lordship's information not only as warranted, but even sanctified by the Royal word."

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A glorious and true character! which (since we suffer his Ministers with impunity to answer for his ideas of taxation) we ought to make it our business to enable his Majesty to preserve in all its lustre. Let him have character, since ours is no more! Let some part of Government be kept in respect!

This epistle was not the letter of Lord Hillsborough solely; though he held the official pen. It was the letter of the noble Lord upon the floor (Lord North), and of all the King's then Ministers, who (with I think the exception of two only) are his Ministers at this hour. The very first news that a British Parliament heard of what it was to do with the duties which it had given and granted to the King, was by the publication of the votes of American Assemblies. It was in America that your resolutions were pre-declared. It was from thence that we knew to a certainty, how much exactly, and not a scruple more nor less, we were to repeal. We were unworthy to be let into the secret of our own conduct. The Assemblies had confidential communications from his Majesty's confidential Servants. We were nothing but instruments. Do you, after this, wonder that you have no weight and no respect in the Colonies? After this are you surprised, that Parliament is every day and every where losing (I feel it with sorrow, I utter it with reluctance) that reverential affection, which so endearing a name of authority ought ever to carry with it; that you are obeyed solely from respect to the bayonet; and that this House, the ground and pillar of freedom, is itself held up only by the treacherous under-pinning and clumsy buttresses of arbitrary power?

If this dignity, which is to stand in the place of just policy and common sense, had been consulted, there was a time for preserving it, and for reconciling it with any concession. If in the session of 1768, that session of idle terror and empty menaces, you had, as you were often pressed to do, repealed these taxes; then your strong operations would have come justified and enforced, in case your concessions had been returned by outrages. But, preposterously, you began with violence; and before terrors could have any effect, either good or bad, your Ministers immediately begged pardon, and promised that repeal to the obstinate Americans which they had refused in an easy, good-natured, complying British Parliament. The Assemblies which had been publicly and avowedly dissolved for their contumacy, are called together to receive your submission. Your Ministerial directors blustered like tragick tyrants here; and then went mumping with a fore leg in America, canting, and whining, and complaining of faction, which represented them as friends to a revenue from the



the Colonies. I hope nobody in this House will hereafter have the impudence to defend American taxes in the name of Ministry. The moment they do, with this letter of attorney in my hand, I will tell them in the authorised terms, they are wretches, "with factious and seditious views; enemies to the peace and prosperity of the Mother Country and the Colonies," and subverters "of the mutual affection and confidence on which the glory and safety of the British Empire depend."

After this letter, the question is no more on propriety or dignity. They are gone already. The faith of your Sovereign is pledged for the political principle. The general declaration in the letter goes to the whole of it. You must therefore either abandon the scheme of taxing; or you must send the Ministers tarred and feathered to America, who dared to hold out the Royal faith for a renunciation of all taxes for revenue. Them you must punish, or this faith you must preserve. The preservation of this faith is of more consequence than the duties on red lead, or white lead, or on broken glass, or atlas ordinary, or demi-fine, or blue-royal, or bastard, or fool's-cap, which you have given up; or the three-pence on tea which you retained. The letter went stamped with the publick authority of this kingdom. The instructions for the Colony government go under no other sanction; and America cannot believe, and will not obey you, if you do not preserve this channel of communication sacred. You are now punishing the Colonies for acting on distinctions, held out by that very Ministry which is here shining in riches, in favour, and in power; and urging the punishment of the very offence, to which they had themselves been the tempters.

Sir, if reasons respecting simply your own commerce, which is your own convenience, were the sole grounds of the repeal of the five duties; why does Lord Hillsborough, in disclaiming in the name of the King and Ministry their ever having had an intent to tax for revenue, mention it as the means "of re-establishing the confidence and affection of the Colonies?" Is it a way of soothing others, to assure them that you will take good care of yourself? The medium, the only medium for regaining their affection and confidence is, that you will take off something oppressive to their minds. Sir, the letter strongly enforces that idea; for though the repeal of the taxes is promised on commercial principles, yet the means of counteracting "the insinuations of men with factious and seditious views," is by a disclaimer of the intention of taxing for revenue, as a constant invariable sentiment and rule of conduct in the government of America.

I remember that the noble Lord on the floor, not in a former

former debate to be sure (it would be disorderly to refer to it, I suppose I read it somewhere), but the noble Lord was pleased to say, that he did not conceive how it could enter into the head of man to impose such taxes as those of 1767; I mean those taxes which he voted for imposing, and voted for repealing; as being taxes, contrary to all the principles of commerce, laid on British manufactures.

I dare say the noble Lord is perfectly well read, because the duty of his particular office requires he should be so, in all our revenue laws; and in the policy which is to be collected out of them. Now, Sir, when he had read this Act of American revenue, and a little recovered from his astonishment, I suppose he made one step retrograde (it is but one), and looked at the Act which stands just before in the Statute Book. The American Revenue Act is the forty-fifth chapter; the other to which I refer is the forty-fourth of the same session. These two Acts are both to the same purpose; both Revenue Acts; both taxing out of the kingdom; and both taxing British manufactures exported. As the 45th is an Act for raising a revenue in America, the 44th is an Act for raising a revenue in the Isle of Man. The two Acts perfectly agree in all respects, except one. In the Act for taxing the Isle of Man, the noble Lord will find (not, as in the American Act, four or five articles) but almost the whole body of British manufactures, taxed from two and an half to fifteen *per cent.* and some articles, such as that of spirits, a great deal higher. You did not think it uncommercial to tax the whole mass of your manufactures, and, let me add, your agriculture too; for, I now recollect, British corn is there also taxed up to ten *per cent.* and this too in the very head-quarters, the very citadel of smuggling, the Isle of Man. Now, will the noble Lord condescend to tell me why he repealed the taxes on your manufactures sent out to America, and not the taxes on the manufactures exported to the Isle of Man? The principle was exactly the same, the objects charged infinitely more extensive, the duties without comparison higher. Why? why, notwithstanding all his childish pretences, because the taxes were quietly submitted to in the Isle of Man; and because they raised a flame in America. Your reasons were political, not commercial. The repeal was made, as Lord Hillsborough's letter well expresses it, to regain "the confidence and affection of the Colonies, on which the glory and safety of the British Empire depend." A wise and just motive surely, if ever there was such. But the mischief and dishonor is, that you have not done what you had given the Colonies just cause to expect, when your Ministers disclaimed the idea of taxes for a revenue. There is nothing  
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simple, nothing manly, nothing ingenuous, open, decisive, or steady, in the proceeding, with regard either to the continuance or the repeal of the taxes. The whole has an air of littleness and fraud. The article of tea is slurred over in the circular letter, as it were by accident—nothing is said of a resolution either to keep that tax, or to give it up. There is no fair dealing in any part of the transaction.

If you mean to follow your true motive and your publick faith, give up your tax on tea for raising a revenue, the principle of which has, in effect, been disclaimed in your name; and which produces you no advantage; no, not a penny. Or, if you choose to go on with a poor pretence instead of a solid reason, and will still adhere to your cant of commerce, you have ten thousand times more strong commercial reasons for giving up this duty on tea, than for abandoning the five others that you have already renounced.

The American consumption of teas is annually, I believe, worth 300,000*l.* at the least farthing. If you urge the American violence as a justification of your perseverance in enforcing this tax, you know that you can never answer this plain question—Why did you repeal the others given in the same Act, whilst the very same violence subsisted?—But you did not find the violence cease upon that concession. No! because the concession was far short of satisfying the principle which Lord Hillsborough had abjured; or even the pretence on which the repeal of the other taxes was announced: and because, by enabling the East-India Company to open a shop for defeating the American resolution not to pay that specifick tax, you manifestly shewed a hankering after the principle of the Act which you formerly had renounced. Whatever road you take leads to a compliance with this motion. It opens to you at the end of every vista. Your commerce, your policy, your promises, your reasons, your pretences, your consistency, your inconsistency—all jointly oblige you to this repeal.

But still it sticks in our throats, if we go so far, the Americans will go farther. We do not know that. We ought, from experience, rather to presume the contrary. Do we not know for certain, that the Americans are going on as fast as possible, whilst we refuse to gratify them? Can they do more, or can they do worse, if we yield this point? I think this concession will rather fix a turnpike to prevent their further progress. It is impossible to answer for bodies of men. But I am sure the natural effect of fidelity, clemency, kindness in Governors, is peace, good-will, order, and esteem, on the part of the governed. I would certainly, at least, give these fair principles

principles a fair trial ; which, since the making of this Act to this hour they never have had.

Sir, the Honorable Gentleman having spoken what he thought necessary upon the narrow part of the subject, I have given him, I hope, a satisfactory answer. He next presses me by a variety of direct challenges and oblique reflections to say something on the historical part. I shall therefore, Sir, open myself fully on that important and delicate subject ; not for the sake of telling you a long story (which, I know, Mr. Speaker, you are not particularly fond of), but for the sake of the weighty instruction that, I flatter myself, will necessarily result from it. It shall not be longer, if I can help it, than so serious a matter requires.

Permit me, then, Sir, to lead your attention very far back ; back to the Act of Navigation ; the corner-stone of the policy of this country with regard to its Colonies. Sir, that policy was, from the beginning, purely commercial ; and the commercial system was wholly restrictive. It was the system of a monopoly. No trade was let loose from that constraint, but merely to enable the Colonists to dispose of what, in the course of your trade, you could not take ; or to enable them to dispose of such articles as we forced upon them, and for which, without some degree of liberty, they could not pay. Hence all your specifick and detailed enumerations : hence the innumerable checks and counter-checks : hence that infinite variety of paper chains by which you bind together this complicated system of the Colonies. This principle of commercial monopoly runs through no less than twenty-nine Acts of Parliament, from the year 1660 to the unfortunate period of 1764.

In all those Acts the system of commerce is established, as that, from whence alone you proposed to make the Colonies contribute (I mean directly, and by the operation of your superintending legislative power) to the strength of the empire. I venture to say, that during that whole period, a Parliamentary revenue from thence was never once in contemplation. Accordingly, in all the number of laws passed with regard to the Plantations, the words which distinguished revenue laws, specifically as such, were, I think, premeditatedly avoided. I do not say, Sir, that a form of words alters the nature of the law, or abridges the power of the lawgiver. It certainly does not. However, titles and formal preambles are not always idle words ; and the lawyers frequently argue from them. I state these facts to shew, not what was your right, but what has been your settled policy. Our revenue laws have usually a title, purporting their being grants, and the words give and grant usually precede the enacting parts. Although duties  
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were imposed on America in Acts of King Charles the Second, and in Acts of King William, no one title of giving "an aid to his Majesty," or any other of the usual titles to Revenue Acts, was to be found in any of them till 1764; nor were the words "give and grant" in any preamble until the 6th of George the Second. However the title of this Act of George the Second, notwithstanding the words of donation, considers it merely as a regulation of trade, "An Act for the better securing of the trade of his Majesty's Sugar Colonies in America." This Act was made on a compromise of all, and at the express desire of a part of the Colonies themselves. It was therefore in some measure with their consent; and having a title directly purporting only a commercial regulation, and being in truth nothing more, the words were passed by, at a time when no jealousy was entertained, and things were little scrutinized. Even Governor Bernard, in his second printed letter, dated in 1763, gives it as his opinion, that "it was an Act of Prohibition, not of Revenue." This is certainly true; that no Act avowedly for the purpose of revenue, and with the ordinary title and recital taken together, is found in the Statute-book until the year I have mentioned; that is the year 1764. All before this period stood on commercial regulation and restraint. The scheme of a Colony revenue by British authority, appeared therefore to the Americans in the light of a great innovation; the words of Governor Bernard's ninth letter, written in November 1765, state this idea very strongly; "it must," says he, "have been supposed, such an innovation as a Parliamentary taxation, would cause a great alarm, and meet with much opposition in most parts of America; it was quite new to the people, and had no visible bounds set to it." After stating the weakness of Government there, he says, "was this a time to introduce so great a novelty as a Parliamentary inland taxation in America?" Whatever the right might have been, this mode of using it was absolutely new in policy and practice.

Sir, they who are friends to the schemes of American revenue say, that the commercial restraint is full as hard a law for America to live under. I think so too. I think it, if uncompensated, to be a condition of as rigorous servitude as men can be subject to. But America bore it from the fundamental Act of Navigation until 1764. Why? Because men do bear the inevitable constitution of their original nature with all its infirmities. The Act of Navigation attended the Colonies from their infancy, grew with their growth, and strengthened with their strength. They were confirmed in obedience to it, even more by usage than by law. They scarcely had remembered a  
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them, by playing before their eyes the image of a revenue to be raised in America.

Here began to dawn the first glimmerings of this new Colony system. It appeared more distinctly afterwards, when it was devolved upon a person to whom, on other accounts, this country owes very great obligations. I do believe, that he had a very serious desire to benefit the publick. But with no small study of the detail, he did not seem to have his view, at least equally, carried to the total circuit of our affairs. He generally considered his objects in lights that were rather too detached. Whether the business of an American revenue was imposed upon him altogether; whether it was entirely the result of his own speculation; or, what is more probable, that his own ideas rather coincided with the instructions he had received; certain it is, that, with the best intentions in the world, he first brought this fatal scheme into form, and established it by Act of Parliament.

No man can believe, that at this time of day I mean to lean on the venerable memory of a great man, whose loss we deplore in common. Our little party-differences have been long ago composed; and I have acted more with him, and certainly with more pleasure with him, than ever I acted against him. Undoubtedly Mr. Grenville was a first-rate figure in this country. With a masculine understanding, and a stout and resolute heart, he had an application undissipated and unwearied. He took publick business, not as a duty which he was to fulfil, but as a pleasure he was to enjoy; and he seemed to have no delight out of this House, except in such things as some way related to the business that was to be done within it. If he was ambitious, I will say this for him, his ambition was of a noble and generous strain. It was to raise himself, not by the low pimping politicks of a Court, but to win his way to power, through the laborious gradations of publick service; and to secure to himself a well-earned rank in Parliament, by a thorough knowledge of its constitution, and a perfect practice in all its business.

Sir, if such a man fell into errors, it must be from defects not intrinsic; they must be rather sought in the particular habits of his life; which, though they do not alter the groundwork of character, yet tinge it with their own hue. He was bred in a profession. He was bred to the law, which is, in my opinion, one of the first and noblest of human sciences; a science which does more to quicken and invigorate the understanding, than all the other kinds of learning put together; but it is not apt, except in persons very happily born, to open and to liberalize the mind exactly in the same pro-

with something of too exquisite a jealousy towards the contraband. He certainly felt a singular degree of anxiety on the subject; and even began to act from that passion earlier than is commonly imagined. For whilst he was First Lord of the Admiralty, though not strictly called upon in his official line, he presented a very strong memorial to the Lords of the Treasury (my Lord Bute was then at the head of the board), heavily complaining of the growth of the illicit commerce in America. Some mischief happened, even at that time, from this over-earnest zeal. Much greater happened afterwards when it operated with greater power in the highest department of the finances. The bonds of the Act of Navigation were straitened so much, that America was on the point of having no trade, either contraband or legitimate. They found, under the construction and execution then used, the Act no longer tying but actually strangling them. All this coming with new enumerations of commodities; with regulations which in a manner put a stop to the mutual coasting intercourse of the Colonies; with the appointment of Courts of Admiralty under various improper circumstances; with a sudden extinction of the paper currencies; with a compulsory provision for the quartering of soldiers; the people of America thought themselves proceeded against as delinquents, or at best as people under suspicion of delinquency; and in such a manner, as they imagined, their recent services in the war did not at all merit. Any of these innumerable regulations, perhaps, would not have alarmed alone; some might be thought reasonable; the multitude struck them with terror.

But the grand manœuvre in that business of new regulating the Colonies, was the fifteenth Act of the 4th of George III.; which, besides containing several of the matters to which I have just alluded, opened a new principle: and here properly began the second period of the policy of this country with regard to the Colonies; by which the scheme of a regular plantation Parliamentary revenue was adopted in theory, and settled in practice. A revenue not substituted in the place of, but superadded to, a monopoly; which monopoly was enforced at the same time with additional strictness, and the execution put into military hands.

This Act, Sir, had for the first time the title of "granting Duties in the Colonies and Plantations of America;" and for the first time it was asserted in the preamble, "that it was just and necessary that a revenue should be raised there." Then came the technical words of "giving and granting;" and thus a complete American Revenue Act was made in all the forms, and with a full avowal of the right, equity, policy, and

and even necessity of taxing the Colonies, without any formal consent of theirs. There are contained also in the preamble to that Act these very remarkable words—the Commons, &c.—“being desirous to make some provision in the present session of Parliament towards raising the said revenue.” By these words it appeared to the Colonies, that this Act was but a beginning of sorrows; that every session was to produce something of the same kind; that we were to go on from day to day, in charging them with such taxes as we pleased, for such a military force as we should think proper. Had this plan been pursued, it was evident that the provincial Assemblies, in which the Americans felt all their portion of importance, and beheld their sole image of freedom, were *ipso facto* annihilated. This ill prospect before them seemed to be boundless in extent, and endless in duration. Sir, they were not mistaken. The Ministry valued themselves when this Act passed, and when they gave notice of the Stamp Act, that both of the duties came very short of their ideas of American taxation. Great was the applause of this measure here. In England we cried out for new taxes on America, whilst they cried out that they were nearly crushed with those which the war and their own grants had brought upon them.

Sir, it has been said in the debate, that when the first American Revenue Act (the Act in 1764, imposing the port duties) passed, the Americans did not object to the principle. It is true they touched it but very tenderly. It was not a direct attack. They were, it is true, as yet novices; as yet unaccustomed to direct attacks upon any of the rights of Parliament. The duties were port duties, like those they had been accustomed to bear; with this difference, that the title was not the same, the preamble not the same, and the spirit altogether unlike. But of what service is this observation to the cause of those that make it? It is a full refutation of the pretence for their present cruelty to America; for it shews, out of their own mouths, that our Colonies were backward to enter into the present vexatious and ruinous controversy.

There is also another circulation abroad (spread with a malignant intention, which I cannot attribute to those who say the same thing in this House), that Mr. Grenville gave the Colony agents an option for their Assemblies to tax themselves, which they had refused. I find that much stress is laid on this, as a fact. However, it happens neither to be true nor possible. I will observe first, that Mr. Grenville never thought fit to make this apology for himself in the innumerable debates that were had upon the subject. He might have proposed to the Colony agents, that they should agree in some mode of taxation



tion as the ground of an Act of Parliament. But he never could have proposed that they should tax themselves on requisition, which is the assertion of the day. Indeed, Mr. Grenville well knew, that the Colony agents could have no general powers to consent to it; and they had no time to consult their Assemblies for particular powers, before he passed his first Revenue Act. If you compare dates, you will find it impossible. Burthened as the agents knew the Colonies were at that time, they could not give the least hope of such grants. His own favourite Governor was of opinion that the Americans were not then taxable objects.

"Nor was the time less favourable to the equity of such a taxation. I don't mean to dispute the reasonableness of America contributing to the charges of Great Britain when she is able; nor, I believe, would the Americans themselves have disputed it, at a proper time and season. But it should be considered, that the American Governments themselves have, in the prosecution of the late war, contracted very large debts; which it will take some years to pay off, and in the mean time occasion very burdensome taxes for that purpose only. For instance, this Government, which is as much before-hand as any, raises every year 37,500*l.* sterling for sinking their debt, and must continue it for four years longer at least before it will be clear."

These are the words of Governor Bernard's letter to a member of the old Ministry, and which he has since printed. Mr. Grenville could not have made this proposition to the agents, for another reason. He was of opinion, which he has declared in this House an hundred times, that the Colonies could not legally grant any revenue to the Crown; and that infinite mischiefs would be the consequence of such a power. When Mr. Grenville had passed the first Revenue Act, and in the same session had made this House come to a resolution for laying a Stamp-duty on America, between that time and the passing the Stamp Act into a law, he told a considerable and most respectable merchant, a Member of this House, whom I am truly sorry I do not now see in his place, when he represented against this proceeding, that if the Stamp-duty was disliked, he was willing to exchange it for any other equally productive; but that if he objected to the Americans being taxed by Parliament, he might save himself the trouble of the discussion, as he was determined on the measure. This is the fact, and, if you please, I will mention a very unquestionable authority for it.

Thus, Sir, I have disposed of this falsehood. But falsehood has a perennial spring. It is said, that no conjecture could be

be made of the dislike of the Colonies to the principle. This is as untrue as the other. After the resolution of the House, and before the passing of the Stamp Act, the Colonies of Massachusetts Bay and New York did send remonstrances, objecting to this mode of Parliamentary taxation. What was the consequence? They were suppressed; they were put under the table; notwithstanding an order of Council to the contrary, by the Ministry which composed the very Council that had made the order; and thus the House proceeded to its business of taxing, without the least regular knowledge of the objections which were made to it. But to give that House its due, it was not over desirous to receive information, or to hear remonstrance. On the 15th of February 1765, whilst the Stamp Act was under deliberation, they refused with scorn even so much as to receive four petitions presented from so respectable Colonies as Connecticut, Rhode Island, Virginia, and Carolina; besides one from the traders of Jamaica. As to the Colonies, they had no alternative left to them, but to disobey; or to pay the taxes imposed by that Parliament which was not suffered, or did not suffer itself, even to hear them remonstrate upon the subject.

This was the state of the Colonies before his Majesty thought fit to change his Ministers. It stands upon no authority of mine. It is proved by uncontrovertible records. The Honorable Gentleman has desired some of us to lay our hands upon our hearts, and answer to his queries upon the historical part of this consideration; and by his manner (as well as my eyes could discern it) he seemed to address himself to me.

Sir, I will answer him as clearly as I am able, and with great openness: I have nothing to conceal. In the year sixty-five, being in a very private station, far enough from any line of business, and not having the honor of a seat in this House, it was my fortune, unknowing and unknown to the then Ministry, by the intervention of a common friend, to become connected with a very noble person, and at the head of the Treasury department. It was indeed in a situation of little rank and no consequence, suitable to the mediocrity of my talents and pretensions. But a situation near enough to enable me to see, as well as others, what was going on; and I did see in that noble person such sound principles, such an enlargement of mind, such clear and sagacious sense, and such unshaken fortitude, as have bound me, as well as others much better than me, by an inviolable attachment to him from that time forward. Sir, Lord Rockingham, very early in that summer, received a strong representation from many weighty English merchants and manufacturers, from Governors of provinces

vinces and commanders of men of war, against almost the whole of the American commercial regulations: and particularly with regard to the total ruin which was threatened to the Spanish trade. I believe, Sir, the noble Lord soon saw his way in this business. But he did not rashly determine against Acts which it might be supposed were the result of much deliberation. However, Sir, he scarcely began to open the ground, when the whole veteran body of office took the alarm. A violent outcry of all (except those who knew and felt the mischief) was raised against any alteration. On one hand, his attempt was a direct violation of treaties and public law.— On the other, the Act of Navigation and all the corps of trade laws were drawn up in array against it.

The first step the noble Lord took, was to have the opinion of his excellent, learned, and ever lamented friend the late Mr. Yorke, then Attorney General, on the point of law. When he knew that formally and officially, which in substance he had known before, he immediately dispatched orders to redress the grievance. But I will say it for the then Minister, he is of that constitution of mind, that I know he would have issued, on the same critical occasion, the very same orders, if the Acts of Trade had been, as they were not, directly against him; and would have cheerfully submitted to the equity of Parliament for his indemnity.

On the conclusion of this business of the Spanish trade, the news of the troubles, on account of the Stamp Act, arrived in England. It was not until the end of October that these accounts were received. No sooner had the sound of that mighty tempest reached us in England, than the whole of the then Opposition, instead of feeling humbled by the unhappy issue of their measures, seemed to be infinitely elated, and cried out, that the Ministry, from envy to the glory of their predecessors, were prepared to repeal the Stamp Act. Near nine years after, the Honorable Gentleman takes quite opposite ground, and now challenges me to put my hand to my heart, and say, whether the Ministry had resolved on the repeal till a considerable time after the meeting of Parliament. Though I do not very well know what the Honorable Gentleman wishes to infer from the admission, or from the denial, of this fact, on which he so earnestly adjures me; I do put my hand on my heart, and assure him, that they did *not* come to a resolution directly to repeal. They weighed this matter as its difficulty and importance required. They considered maturely among themselves. They consulted with all who could give advice or information. It was not determined until a little before the meeting of Parliament; but it was determined,

and the main lines of their own plan marked out before that meeting. Two questions arose (I hope I am not going into a narrative troublesome to the House).

[A cry of, Go on, go on.]

The first of the two considerations was, whether the repeal should be total, or whether only partial; taking out every thing burthenfome and productive, and reserving only an empty acknowledgement, such as a stamp on cards or dice. The other question was, on what principle the Act should be repealed? On this head also two principles were started. One, that the Legislative rights of this country, with regard to America, were not entire, but had certain restrictions and limitations. The other principle was, that taxes of this kind were contrary to the fundamental principles of commerce on which the Colonies were founded; and contrary to every idea of political equity; by which equity we are bound, as much as possible to extend the spirit and benefit of the British constitution to every part of the British dominions. The option, both of the measure, and of the principle of repeal, was made before the session; and I wonder how any one can read the King's Speech at the opening of that session, without seeing, in that Speech, both the repeal and the Declaratory Act very sufficiently crayoned out. Those who cannot see this can see nothing.

Surely the Honorable Gentleman will not think that a great deal less time than was then employed ought to have been spent in deliberation, when he considers that the news of the troubles did not arrive till towards the end of October. The Parliament sat to fill the vacancies on the 14th day of December, and on business the 14th of the following January.

Sir, a partial repeal, or, as the *bon ton* of the Court then was, a modification, would have satisfied a timid, unsystematick, procrastinating Ministry, as such a measure has since done such a Ministry. A modification is the constant resource of weak undeciding minds. To repeal by a denial of our right to tax in the preamble (and this too did not want advisers), would have cut, in the heroick style, the Gordian knot with a sword. Either measure would have cost no more than a days debate. But when the total repeal was adopted; and adopted on principles of policy, of equity, and of commerce; this plan made it necessary to enter into many and difficult measures. It became necessary to open a very large field of evidence commensurate to these extensive views. But then this labour did knights service. It opened the eyes of several to the true state of the American affairs; it enlarged their ideas; it removed prejudices; and it conciliated the opinions and affections of men. The noble Lord who then took the lead in Admini-

ministration, my Hon. Friend (Mr. Dowdeswell) under me, and a Right Hon. Gentleman (General Conway), (if he will not reject his share, and it was a large one of this business) exerted the most laudable industry in bringing before you the fullest, most impartial, and least-garbled body of evidence that ever was produced to this House. I think the enquiry lasted in the Committee for six weeks; and at its conclusion this House, by an independent, noble, spirited, and unexpected majority; by a majority that will redeem all the acts ever done by majorities in Parliament; in the teeth of all the old mercenary Swifs of State, in despite of all the speculators and augurs of political events, in defiance of the whole embattled legion of veteran pensioners and practised instruments of a Court, gave a total repeal to the Stamp Act, and (if it had been so permitted) a lasting peace to this whole empire.

I state, Sir, these particulars, because this act of spirit and fortitude has lately been, in the circulation of the season, and in some hazarded declamations in this House, attributed to timidity. If, Sir, the conduct of Ministry, in proposing the repeal, had arisen from timidity with regard to themselves, it would have been greatly to be condemned. Interested timidity disgraces as much in the cabinet, as personal timidity does in the field. But timidity, with regard to the well-being of our country, is heroick virtue. The noble Lord who then conducted affairs, and his worthy colleagues, whilst they trembled at the prospect of such distresses as you have since brought upon yourselves, were not afraid steadily to look in the face that glaring and dazzling influence at which the eyes of eagles have blanched. He looked in the face one of the ablest, and, let me say, not the most scrupulous Oppositions, that perhaps ever was in this House, and withstood it, unaided by even one of the usual supporters of Administration. He did this when he repealed the Stamp Act. He looked in the face a person he had long respected and regarded, and whose aid was then particularly wanting; I mean Lord Chatham. He did this when he passed the Declaratory Act.

It is now given out, for the usual purposes, by the usual emissaries, that Lord Rockingham did not consent to the repeal of this Act until he was bullied into it by Lord Chatham; and the reporters have gone so far as publicly to assert, in an hundred companies, that the Honorable Gentleman under the gallery (General Conway), who proposed the repeal in the American Committee, had another set of resolutions in his pocket directly the reverse of those he moved. These artifices of a desperate cause are, at this time, spread abroad, with incredible care, in every part of the town, from the high-

est to the lowest companies; as if the industry of the circulation were to make amends for the absurdity of the report.

Sir, whether the noble Lord is of a complexion to be bullied by Lord Chatham, or by any man, I must submit to those who know him. I confess, when I look back to that time, I consider him as placed in one of the most trying situations in which, perhaps, any man ever stood. In the House of Peers there were very few of the Ministry, out of the noble Lord's own particular connection (except Lord Egmont, who acted, as far as I could discern, an honorable and manly part), that did not look to some other future arrangement, which warped his politics. There were in both Houses new and menacing appearances that might very naturally drive any other, than a most resolute Minister, from his measure, or from his station. The household troops openly revolted. The allies of Ministry (those, I mean, who supported some of their measures, but refused responsibility for any) endeavoured to undermine their credit, and to take ground that must be fatal to the success of the very cause which they would be thought to countenance. The question of the repeal was brought on by Ministry in the Committee of this House, in the very instant when it was known that more than one Court negotiation was carrying on with the heads of the Opposition. Every thing, upon every side, was full of traps and mines. Earth below shook; Heaven above menaced; all the elements of Ministerial safety were dissolved. It was in the midst of this chaos of plots and counterplots; it was in the midst of this complicated warfare against public opposition and private treachery, that the firmness of that noble person was put to the proof. He never stirred from his ground; no, not an inch. He remained fixed and determined, in principle, in measure, and in conduct. He practised no managements. He secured no retreat. He sought no apology.

I will likewise do justice, I ought to do it, to the Honorable Gentleman who led us in this House (General Conway). Far from the duplicity wickedly charged on him, he acted his part with alacrity and resolution. We all felt inspired by the example he gave us, down even to myself, the weakest in that phalanx. I declare for one, I knew well enough (it could not be concealed from any body) the true state of things; but, in my life, I never came with so much spirits into this House. It was a time for a man to act in. We had powerful enemies but we had faithful and determined friends; and a glorious cause. We had a great battle to fight; but we had the means of fighting; not as now, when our arms are tied behind us. We did fight that day and conquer.

I remem-

I remember, Sir, with a melancholy pleasure, the situation of the Honorable Gentleman (General Conway) who made the motion for the repeal; in that crisis, when the whole trading interest of this empire, crammed into your lobbies, with a trembling and anxious expectation, waited, almost to a winter's return of light, their fate from your resolutions. When, at length, you had determined in their favour, and your doors, thrown open, shewed them the figure of their deliverer in the well-earned triumph of his important victory, from the whole of that grave multitude there arose an involuntary burst of gratitude and transport. They jumped upon him like children on a long absent father. They clung about him as captives about their redeemer. All England, all America, joined to his applause. Nor did he seem insensible to the best of all earthly rewards, the love and admiration of his fellow-citizens. Hope elevated and joy brightened his crest. I stood near him; and his face, to use the expression of the Scripture of the first martyr, "his face was as if it had been the face of an angel." I do not know how others feel; but if I had stood in that situation, I never would have exchanged it for all that Kings in their profusion could bestow. I did hope, that that day's danger and honor would have been a bond to hold us all together for ever. But, alas! that, with other pleasing visions, is long since vanished.

Sir, this act of supreme magnanimity has been represented, as if it had been a measure of an Administration that, having no scheme of their own, took a middle line, pilfered a bit from one side and a bit from the other. Sir, they took no middle lines. They differed fundamentally from the schemes of both parties; but they preserved the objects of both. They preserved the authority of Great Britain. They preserved the equity of Great Britain. They made the Declaratory Act; they repealed the Stamp Act. They did both fully; because the Declaratory Act was without qualification; and the repeal of the Stamp Act total. This they did in the situation I have described.

Now, Sir, what will the adversary say to both these Acts? If the principle of the Declaratory Act was not good, the principle we are contending for this day is monstrous. If the principle of the repeal was not good, why are we not at war for a real substantial effective revenue? If both were bad; why has this Ministry incurred all the inconveniences of both and of all schemes? Why have they enacted, repealed, enforced, yielded, and now attempt to enforce again?

Sir, I think I may as well now, as at any other time, speak to a certain matter of fact not wholly unrelated to the question

tion under your consideration. We, who would persuade you to revert to the ancient policy of this kingdom, labour under the effect of this short current phrase, which the Court leaders have given out to all their corps, in order to take away the credit of those who would prevent you from that frantick war you are going to wage upon your Colonies. Their cant is this; "All the disturbances in America have been created by the repeal of the Stamp Act." I suppress for a moment my indignation at the falsehood, baseness, and absurdity of this most audacious assertion. Instead of remarking on the motives and character of those who have issued it for circulation, I will clearly lay before you the state of America, antecedently to that repeal; after the repeal; and since the renewal of the schemes of American taxation.

It is said, that the disturbances, if there were any, before the repeal, were slight; and, without difficulty or inconvenience, might have been suppressed. For an answer to this assertion, I will send you to the great author and patron of the Stamp Act, who certainly, meaning well to the authority of this country, and fully apprised of the state of that, made, before a repeal was so much as agitated in this House, the motion which is on your Journals; and which, to save the Clerk the trouble of turning to it, I will now read to you. It was for an amendment to the Address of the 17th of December 1765:

"To express our just resentment and indignation at the Outrageous Tumults and Insurrections which have been excited and carried on in North America; and at the resistance given by open and rebellious force to the Execution of the Laws in that part of his Majesty's dominions. And to assure his Majesty, that his faithful Commons, animated with the warmest duty and attachment to his Royal Person and Government, will firmly and effectually support his Majesty in all such measures as shall be necessary for preserving and supporting the legal dependance of the Colonies on the Mother Country, &c. &c."

Here was certainly a disturbance preceding the repeal; such a disturbance as Mr. Grenville thought necessary to qualify by the name of an insurrection, and the epithet of a rebellious force: terms much stronger than any by which those, who then supported his motion, have ever since thought proper to distinguish the subsequent disturbances in America. They were disturbances which seemed to him and his friends to justify as strong a promise of support, as hath been usual to give in the beginning of a war with the most powerful and declared enemies. When the accounts of the American Governors came before the House, they appeared stronger even than



than the warmth of publick imagination had painted them; so much stronger, that the papers on your table bear me out in saying that all the late disturbances, which have been at one time the Minister's motives for the repeal of five out of six of the new Court taxes, and are now his pretences for refusing to repeal that sixth, did not amount—why do I compare them?—no, not to a tenth part of the tumults and violence which prevailed long before the repeal of that Act.

Ministry cannot refuse the authority of the Commander in Chief, General Gage, who, in his letter of the 4th of November, from New York, thus represents the state of things:

“It is difficult to say, from the highest to the lowest, who has not been accessory to this insurrection, either by writing or mutual agreements, to oppose the Act by, what they are pleased to term, all legal opposition to it. Nothing effectual has been proposed, either to prevent or quell the tumult. The rest of the Provinces are in the same situation as to a positive refusal to take the Stamps; and threatening those who shall take them, to plunder and murder them; and this affair stands in all the Provinces, that unless the Act, from its own nature, enforce itself, nothing but a very considerable military force can do it.”

It is remarkable, Sir, that the persons who formerly trumpeted forth the most loudly, the violent resolutions of Assemblies; the universal insurrections; the seizing and burning the stamped papers; the forcing stamp officers to resign their commissions under the gallows; the rising and pulling down of the houses of magistrates; and the expulsion from their country of all who dared to write or speak a single word in defence of the powers of Parliament; these very trumpeters are now the men that represent the whole as a mere trifle; and choose to date all the disturbances from the repeal of the Stamp Act, which put an end to them. Hear your officers abroad, and let them refute this shameless falsehood, who, in all their correspondence, state the disturbances as owing to their true causes, the discontent of the people, from the taxes. You have this evidence in your own archives—and it will give you complete satisfaction; if you are not so far lost to all Parliamentary ideas of information, as rather to credit the lie of the day, than the records of your own House.

Sir, this vermin of Court reporters, when they are forced into day upon one point, are sure to burrow in another; but they shall have no refuge: I will make them bolt out of all their holes. Conscious that they must be baffled, when they attribute a precedent disturbance to a subsequent measure, they take other ground, almost as absurd, but very common in modern

modern practice, and very wicked; which is; to attribute the ill effect of ill-judged conduct to the arguments which had been used to dissuade us from it. They say, that the opposition made in Parliament to the Stamp Act at the time of its passing, encouraged the Americans to their resistance. This has even formally appeared in print in a regular volume, from an advocate of that faction, a Dr. Tucker. This Dr. Tucker is already a Dean, and his earnest labours in this vineyard will, I suppose, raise him to a Bishoprick. But this assertion too, just like the rest, is false. In all the papers which have loaded your table; in all the vast crowd of verbal witnesses that appeared at your bar, witnesses which were indiscriminately produced from both sides of the House; not the least hint of such a cause of disturbance has ever appeared. As to the fact of a strenuous opposition to the Stamp Act, I sat as a stranger in your gallery when the Act was under consideration. Far from any thing inflammatory, I never heard a more languid debate in this House. No more than two or three gentlemen, as I remember, spoke against the Act, and that with great reserve and remarkable temper. There was but one division in the whole progress of the Bill; and the minority did not reach to more than 39 or 40. In the House of Lords I do not recollect that there was any debate or division at all. I am sure there was no protest. In fact, the affair passed with so very, very little noise, that in town they scarcely knew the nature of what you were doing. The opposition to the Bill in England never could have done this mischief, because there scarcely ever was less of opposition to a Bill of consequence.

Sir, the agents and distributors of falsehoods have, with their usual industry, circulated another lie of the same nature with the former. It is this, that the disturbances arose from the account which had been received in America of the change in the Ministry. No longer awed, it seems, with the spirit of the former rulers, they thought themselves a match for what our calumniators choose to qualify by the name of so feeble a Ministry as succeeded. Feeble in one sense these men certainly may be called; for with all their efforts, and they have made many, they have not been able to resist the distempered vigour, and insane alacrity with which you are rushing to your ruin. But it does so happen, that the falsity of this circulation is (like the rest) demonstrated by indisputable dates and records.

So little was the change known in America, that the letters of your Governors, giving an account of these disturbances long after they had arrived at their highest pitch, were all directed to the old Ministry, and particularly to the Earl of Halifax, the Secretary of State corresponding with the Colonies, without

without once, in the smallest degree, intimating the slightest suspicion of any Ministerial revolution whatsoever. The Ministry was not changed in England until the 10th day of July 1765. On the 14th of the preceding June, Governor Fauquier from Virginia writes thus; and writes thus to the Earl of Halifax: "Government is set at defiance, not having strength enough in her hands to enforce obedience to the laws of the community. The private distress, which every man feels, increases the general dissatisfaction at the duties laid by the Stamp Act, which breaks out, and shews itself upon every trifling occasion." The general dissatisfaction had produced some time before, that is, on the 29th of May, several strong publick resolves against the Stamp Act; and those resolves are assigned, by Governor Bernard, as the cause of the insurrections in Massachusetts Bay, in his letter of the 15th of August, still addressed to the Earl of Halifax; and he continued to address such accounts to that Minister quite to the 7th of September of the same year. Similar accounts, and of as late a date, were sent from other Governors, and all directed to Lord Halifax. Not one of these letters indicates the slightest idea of a change, either known, or even apprehended.

Thus are blown away the insect race of courtly falsehoods! thus perish the miserable inventions of the wretched runners for a wretched cause, which they have fly-blown into every weak and rotten part of the country, in vain hopes that when their maggots had taken wing, their importunate buzzing might sound something like the public voice!

Sir, I have troubled you sufficiently with the state of America before the repeal. Now I turn to the Honorable Gentleman who so stoutly challenges us to tell, whether, after the repeal, the Provinces were quiet? This is coming home to the point. Here I meet him directly; and answer most readily—they were quiet. And, I in my turn, challenge him to prove when, and where, and by whom, and in what numbers, and with what violence, the other laws of trade, as gentlemen assert, were violated in consequence of your concession; or that even your other revenue laws were attacked? But I quit the vantage ground on which I stand, and where I might leave the burthen of the proof upon him: I walk down upon the open plain, and undertake to shew that they were not only quiet, but shewed many unequivocal marks of acknowledgment and gratitude. And to give him every advantage, I select the obnoxious colony of Massachusetts Bay, which at this time (but without hearing her) is so heavily a culprit before Parliament; I will select their proceedings even under circumstances of no small irritation. For, a little imprudently I must say, Gover-

nor Bernard mixed in the administration of the lenitive of the repeal no small acrimony, arising from matters of a separate nature. Yet see, Sir, the effect of that lenitive, though mixed with these bitter ingredients; and how this rugged people can express themselves on a measure of concession.

"If it is not in our power," say they in their address to Governor Bernard, "in so full a manner as will be expected, to shew our respectful gratitude to the Mother Country, or to make a dutiful and affectionate return to the indulgence of the King and Parliament, it shall be no fault of ours; for this we intend, and hope we shall be able fully to effect."

Would to God that this temper had been cultivated, managed, and set in action! other effects than those which we have since felt would have resulted from it. On the requisition for compensation to those who had suffered from the violence of the populace, in the same address they say, "The recommendation enjoined by Mr. Secretary Conway's letter, and in consequence thereof made to us, we will embrace the first convenient opportunity to consider and act upon." They did consider; they did act upon it. They obeyed the requisition. I know the mode has been chicaned upon; but it was substantially obeyed; and much better obeyed than I fear the Parliamentary requisition of this session will be, though enforced by all your rigour, and backed with all your power. In a word, the damages of popular fury were compensated by legislative gravity. Almost every other part of America, in various ways, demonstrated their gratitude. I am bold to say, that so sudden a calm, recovered after so violent a storm, is without parallel in history. To say that no other disturbance should happen from any other cause, is folly. But as far as appearances went, by the judicious sacrifice of one law, you procured an acquiescence in all that remained. After this experience, nobody shall persuade me, when an whole people are concerned, that acts of lenity are not means of conciliation.

I hope the Honorable Gentleman has received a fair and full answer to his question.

I have done with the third period of your policy; that of your repeal; and the return of your ancient system, and your ancient tranquillity and concord. Sir, this period was not as long as it was happy. Another scene was opened, and other actors appeared on the stage. The State, in the condition I have described it, was delivered into the hands of Lord Chatham—a great and celebrated name; a name that keeps the name of this country respectable in every other on the globe. It may be truly called

*Clarum et venerabile nomen  
Gentibus, et multum nostra quod proderat urbi.*

Sir,

Sir, the venerable age of this great man, his merited rank, his superior eloquence, his splendid qualities, his eminent services, the vast space he fills in the eye of mankind; and, more than all the rest, his fall from power, which, like death, canonizes and sanctifies a great character, will not suffer me to censure any part of his conduct. I am afraid to flatter him; I am sure I am not disposed to blame him. Let those who have betrayed him by their adulation, insult him with their malevolence. But what I do not presume to censure, I may have leave to lament. For a wise man, he seemed to me, at that time, to be governed too much by general maxims. I speak with the freedom of history, and I hope without offence. One or two of these maxims, flowing from an opinion not the most indulgent to our unhappy species, and surely a little too general, led him into measures that were greatly mischievous to himself, and for that reason, among others, perhaps fatal to his country; measures, the effects of which, I am afraid, are for ever incurable. He made an Administration so checkered and speckled; he put together a piece of joinery, so crossly indented and whimsically dovetailed; a cabinet so variously inlaid; such a piece of diversified Mosaic; such a tessellated pavement without cement; here a bit of black stone, and there a bit of white; patriots and courtiers; King's friends and republicans; whigs and tories; treacherous friends and open enemies: that it was indeed a very curious show; but utterly unsafe to touch, and unsure to stand on. The colleagues whom he had assorted at the same boards, stared at each other, and were obliged to ask, "Sir, your name?—Sir, you have the advantage of me—Mr. Such a one—I beg a thousand pardons—" I venture to say, it did so happen, that persons had a single office divided between them, who had never spoke to each other in their lives, until they found themselves, they knew not how, pigging together, heads and points, in the same truckle-bed\*.

Sir, in consequence of this arrangement, having put so much the larger part of his enemies and opposers into power, the confusion was such, that his own principles could not possibly have any effect or influence in the conduct of affairs. If ever he fell into a fit of the gout, or if any other cause withdrew him from publick cares, principles directly the contrary were sure to predominate. When he had executed his plan, he had not an inch of ground to stand upon. When he had

\* Supposed to allude to the Right Hon. Lord North and George Cooke, Esq. who were made joint Paymasters in the summer of 1766, on the removal of the Rockingham Administration.

accomplished his scheme of Administration, he was no longer a Minister.

When his face was hid but for a moment, his whole system was on a wide sea, without chart or compass. The gentlemen, his particular friends, who, with the names of various departments of Ministry, were admitted to seem as if they acted a part under him, with a modesty that becomes all men, and with a confidence in him, which was justified even in its extravagance by his superior abilities, had never, in any instance, presumed upon any opinion of their own. Deprived of his guiding influence, they were whirled about, the sport of every gust, and easily driven into any port; and as those who joined with them in manning the vessel were the most directly opposite to his opinions, measures, and character, and far the most artful and most powerful of the set, they easily prevailed, so as to seize upon the vacant, unoccupied, and derelict minds of his friends; and instantly they turned the vessel wholly out of the course of his policy. As if it were to insult as well as to betray him, even long before the close of the first session of his administration, when every thing was publicly transacted, and with great parade, in his name, they made an Act, declaring it highly just and expedient to raise a revenue in America. For even then, Sir, even before this splendid orb was entirely set, and while the western horizon was in a blaze with his descending glory, on the opposite quarter of the heavens arose another luminary, and, for his hour, became lord of the ascendant.

This light too is passed and set for ever. You understand, to be sure, that I speak of Charles Townshend, officially the re-producer of this fatal scheme; whom I cannot even now remember without some degree of sensibility. In truth, Sir, he was the delight and ornament of this house, and the charm of every private society which he honored with his presence. Perhaps there never arose in this country, nor in any country, a man of a more pointed and finished wit; and (where his passions were not concerned) of a more refined, exquisite, and penetrating judgment. If he had not so great a stock, as some have had who flourished formerly, of knowledge long treasured up, he knew better by far, than any man I ever was acquainted with, how to bring together, within a short time, all that was necessary to establish, to illustrate, and to decorate that side of the question he supported. He stated his matter skilfully and powerfully. He particularly excelled in a most luminous explanation and display of his subject. His style of argument was neither trite and vulgar, nor subtle and abstruse. He hit the House just between wind and water.—And not be-  
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ing troubled with too anxious a zeal for any matter in question, he was never more tedious, or more earnest, than the preconceived opinions and present temper of his hearers required; to whom he was always in perfect unison. He conformed exactly to the temper of the House; and he seemed to guide, because he was always sure to follow it.

I beg pardon, Sir, if when I speak of this and of other great men, I appear to digress in saying something of their characters. In this eventful history of the revolutions of America, the characters of such men are of much importance. Great men are the guide-posts and land-marks in the state. The credit of such men at Court, or in the nation, is the sole cause of all the publick measures. It would be an invidious thing (most foreign, I trust, to what you think my disposition) to remark the errors into which the authority of great names has brought the nation, without doing justice at the same time to the great qualities whence that authority arose. The subject is instructive to those who wish to form themselves on whatever of excellence has gone before them. There are many young members in the House (such of late has been the rapid succession of publick men) who never saw that prodigy Charles Townshend; nor of course know what a ferment he was able to excite in every thing by the violent ebullition of his mixed virtues and failings; for failings he had undoubtedly—many of us remember them; we are this day considering the effect of them. But he had no failings which were not owing to a noble cause; to an ardent, generous, perhaps an immoderate passion for fame; a passion which is the instinct of all great souls. He worshipped that goddess wheresoever she appeared; but he paid his particular devotions to her in her favourite habitation, in her chosen temple, the House of Commons. Besides the characters of the individuals that compose our body, it is impossible, Mr. Speaker, not to observe that this House has a collective character of its own. That character too, however imperfect, is not unamiable. Like all great publick collections of men, you possess a marked love of virtue, and an abhorrence of vice. But among vices, there is none which the House abhors in the same degree with obstinacy. Obstinacy, Sir, is certainly a great vice; and in the changeful state of political affairs it is frequently the cause of great mischief. It happens, however, very unfortunately, that almost the whole line of the great and masculine virtues, constancy, gravity, magnanimity, fortitude, fidelity, and firmness, are closely allied to this disagreeable quality, of which you have so just an abhorrence; and, in their excess, all these virtues very easily fall into it. He, who paid such a punctilious  
attention

attention to all your feelings, certainly took care not to shock them by that vice which is the most disgusting to you.

That fear of displeasing those who ought most to be pleased, betrayed him sometimes into the other extreme. He had voted, and, in the year 1765, had been an advocate for the Stamp Act. Things and the disposition of men's minds were changed. In short, the Stamp Act began to be no favourite in this House. He therefore attended at the private meeting in which the resolutions moved by a Right Honorable Gentleman were settled; resolutions leading to the repeal. The next day he voted for that repeal; and he would have spoken for it too, if an illness (not as was then given out a political, but, to my knowledge, a very real illness) had not prevented it.

The very next session, as the fashion of this world passeth away, the repeal began to be in as bad an odour in this House as the Stamp Act had been in the session before. To conform to the temper which began to prevail, and to prevail mostly amongst those most in power, he declared, very early in the winter, that a revenue must be had out of America. Instantly he was tied down to his engagements by some who had no objection to such experiments, when made at the cost of persons for whom they had no particular regard. The whole body of courtiers drove him onward. They always talked as if the King stood in a sort of humiliated state, until something of the kind should be done.

Here this extraordinary man, then Chancellor of the Exchequer, found himself in great straits. To please universally was the object of his life; but to tax and to please, no more than to love and to be wife, is not given to men. However he attempted it. To render the tax palatable to the partizans of American revenue, he made a preamble stating the necessity of such a revenue. To close with the American distinction, this revenue was external or port-duty; but again, to soften it to the other party, it was a duty of supply. To gratify the Colonists, it was laid on British manufactures; to satisfy the merchants of Britain, the duty was trivial, and (except that on tea, which touched only the devoted East India Company) on none of the grand objects of commerce. To counterwork the American contraband, the duty on tea was reduced from a shilling to three-pence. But to secure the favour of those who would tax America, the scene of collection was changed, and, with the rest, it was levied in the Colonies. What need I say more? This fine-spun scheme had the usual fate of all exquisite policy. But the original plan of the duties, and the mode of executing that plan, both arose singly and solely from a love of our applause.



plause. He was truly the child of the House. He never thought, did, or said any thing but with a view to you. He every day adapted himself to your disposition; and adjusted himself before it, as at a looking-glass.

He had observed (indeed it could not escape him) that several persons, infinitely his inferiors in all respects, had formerly rendered themselves considerable in this House by one method alone. They were a race of men (I hope in God the species is extinct) who, when they rose in their place, no man living could divine, from any known adherence to parties, to opinions, or to principles; from any order or system in their politics; or from any sequel or connection in their ideas, what part they were going to take in any debate. It is astonishing how much this uncertainty, especially at critical times, called the attention of all parties on such men. All eyes were fixed on them, all ears open to hear them: each party gaped and looked alternately for their vote, almost to the end of their speeches. While the House hung in this uncertainty, now the Hear-hims rose from this side—now they re-bellowed from the other; and that party to whom they fell at length from their tremulous and dancing balance, always received them in a tempest of applause. The fortune of such men was a temptation too great to be resisted by one, to whom a single whiff of incense withheld gave much greater pain than he received delight in the clouds of it which daily rose about him from the prodigal superstition of innumerable admirers. He was a candidate for contradictory honors; and his great aim was to make those agree in admiration of him who never agreed in any thing else.

Hence arose this unfortunate Act, the subject of this day's debate; from a disposition which, after making an American revenue to please one, repealed it to please others, and again revived it in hopes of pleasing a third, and of catching something in the ideas of all.

This Revenue Act of 1767, formed the fourth period of American policy. How we have fared since then—what woe-ful variety of schemes have been adopted; what enforcing, and what repealing; what bullying, and what submitting; what doing and undoing; what straining and what relaxing; what Assemblies dissolved for not obeying, and called again without obedience; what troops sent out to quell resistance, and, on meeting that resistance, recalled; what shiftings and changes, and jumbings of all kinds of men at home, which left no possibility of order, consistency, vigour, or even so much as a decent unity of colour in any one publick measure—it is a tedious, irksome task—my duty may call me to open it out some other time;

co-ordinate to each other, they ought all to be subordinate to her ; else they can neither preserve mutual peace, nor hope for mutual justice, nor effectually afford mutual assistance. It is necessary to coerce the negligent, to restrain the violent, and to aid the weak and deficient, by the over-ruling plenitude of her power. She is never to intrude into the place of the others, whilst they are equal to the common ends of their institution. But in order to enable Parliament to answer all these ends of provident and beneficent superintendence, her powers must be boundless. The gentlemen who think the powers of Parliament limited, may please themselves to talk of requisitions. But suppose the requisitions are not obeyed ? What ! Shall there be no reserved power in the empire to supply a deficiency which may weaken, divide, and dissipate the whole ? We are engaged in war—the Secretary of State calls upon the Colonies to contribute—some would do it, I think most would cheerfully furnish whatever is demanded—one or two, suppose, hang back, and easing themselves, let the stress of the draft lie on the others—surely it is proper that some authority might legally say—“ Tax yourselves for the common supply, or Parliament will do it for you.” This backwardness was, as I am told, actually the case of Pennsylvania for some short time towards the beginning of the last war, owing to some internal dissensions in the Colony. But, whether the fact were so, or otherwise, the case is equally to be provided for by a competent sovereign power. But then this ought to be no ordinary power ; nor ever used in the first instance. This is what I meant, when I have said at various times, that I consider the power of taxing in Parliament as an instrument of empire, and not as a means of supply.

Such, Sir, is my idea of the constitution of the British Empire, as distinguished from the Constitution of Britain ; and on these grounds I think subordination and liberty may be sufficiently reconciled through the whole ; whether to serve a refining speculatist, or a factious demagogue, I know not ; but enough, surely, for the ease and happiness of man.

Sir, whilst we held this happy course, we drew more from the Colonies than all the impotent violence of despotism ever could extort from them. We did this abundantly in the last war. It has never been once denied—and what reason have we to imagine that the Colonies would not have proceeded in supplying Government as liberally, if you had not stepped in and hindered them from contributing, by interrupting the channel in which their liberality flowed with so strong a course ; by attempting to take, instead of being satisfied to receive. Sir William Temple says, that Holland has loaded  
itself

Your Ministers, in their own and his Majesty's name, have already adopted the American distinction of internal and external duties. It is a distinction, whatever merit it may have, that was originally moved by the Americans themselves; and I think they will acquiesce in it, if they are not pushed with too much logick and too little sense, in all the consequences. That is, if external taxation be understood, as they and you understand it when you please, to be not a distinction of geography, but of policy; that it is a power for regulating trade, and not for supporting establishments. The distinction, which is as nothing with regard to right, is of most weighty consideration in practice. Recover your old ground, and your old tranquillity—try it—I am persuaded the Americans will compromise with you. When confidence is once restored, the odious and suspicious *summum jus* will perish of course. The spirit of practicability, of moderation, and mutual convenience, will never call in geometrical exactness as the arbitrator of an amicable settlement. Consult and follow your experience. Let not the long story with which I have exercised your patience, prove fruitless to your interests.

For my part, I should choose (if I could have my wish) that the proposition of the Honorable Gentleman (Mr. Fuller) for the repeal, could go to America without the attendance of the penal Bills. Alone I could almost answer for its success. I cannot be certain of its reception in the bad company it may keep. In such heterogeneous assortments, the most innocent person will lose the effect of his innocency. Though you should send out this angel of peace, yet you are sending out a destroying angel too; and what would be the effect of the conflict of these two adverse spirits, or which would predominate in the end, is what I dare not say: whether the lenient measures would cause American passion to subside, or the severe would increase its fury—All this is in the hand of Providence; yet now, even now, I should confide in the prevailing virtue, and efficacious operation of lenity, though working in darkness, and in chaos, in the midst of all this unnatural and turbid combination. I should hope it might produce order and beauty in the end.

Let us, Sir, embrace some system or other before we end this session. Do you mean to tax America, and to draw a productive revenue from thence? If you do, speak out: name, fix, ascertain this revenue; settle its quantity; define its objects; provide for its collection; and then fight when you have something to fight for. If you murder—rob! If you kill, take possession; and do not appear in the character of madmen, as well as assassins, violent, vindictive, bloody, and

tyrannical, without an object. But may better counsels guide you!

Again, and again, revert to your old principles—seek peace and ensue it—leave America, if she has taxable matter in her, to tax herself. I am not here going into the distinctions of rights, nor attempting to mark their boundaries. I do not enter into these metaphysical distinctions; I hate the very sound of them. Leave the Americans as they anciently stood, and these distinctions, born of our unhappy contest, will die along with it. They, and we, and their and our ancestors, have been happy under that system. Let the memory of all actions, in contradiction to that good old mode, on both sides, be extinguished for ever. Be content to bind America by laws of trade; you have always done it. Let this be your reason for binding their trade. Do not burthen them by taxes; you were not used to do so from the beginning. Let this be your reason for not taxing. These are the arguments of states and kingdoms. Leave the rest to the schools; for there only they may be discussed with safety. But if, intemperately, unwisely, fatally, you sophisticate and poison the very source of government, by urging subtle deductions, and consequences odious to those you govern, from the unlimited and illimitable nature of supreme sovereignty, you will teach them by these means to call that sovereignty itself in question. When you drive him hard, the boar will surely turn upon the hunters. If that sovereignty and their freedom cannot be reconciled, which will they take? They will cast your sovereignty in your face. No body will be argued into slavery. Sir, let the gentlemen on the other side call forth all their ability; let the best of them get up and tell me, what one character of liberty the Americans have, and what one brand of slavery they are free from, if they are bound in their property and industry, by all the restraints you can imagine on commerce, and at the same time are made pack-horses of every tax you choose to impose, without the least share in granting them? When they bear the burthens of unlimited monopoly, will you bring them to bear the burthens of unlimited revenue too? The Englishman in America will feel that this slavery—this legal slavery, will be no compensation, either to his feelings or his understanding.

A noble Lord (Lord Carmarthen), who spoke some time ago, is full of the fire of ingenuous youth; and when he has modelled the ideas of a lively imagination by further experience, he will be an ornament to his country in either House. He has said, that the Americans are our children; and how can they revolt against their parent? He says, that if they are not  
free

free in their present state, England is not free; because Manchester, and other considerable places are not represented. So then, because some towns in England are not represented, America is to have no representative at all. They are "our children;" but when children ask for bread, we are not to give a stone. Is it because the natural resistance of things, and the various mutations of time hinders our government, or any scheme of government from being any more than a sort of approximation to the right, is it therefore that the Colonies are to recede from it infinitely? When this child of ours wishes to assimilate to its parent, and to reflect with a true filial resemblance the beauteous countenance of British liberty; are we to turn to them the shameful parts of our Constitution? Are we to give them our weakness for their strength; our opprobrium for their glory; and the slough of slavery, which we are not able to work off, to serve them for their freedom?

If this be the case, ask yourselves this question—will they be content in such a state of slavery? If not, look to the consequences. Reflect how you are to govern a people, who think they ought to be free, and think they are not. Your scheme yields no revenue; it yields nothing but discontent, disorder, disobedience; and such is the state of America, that after wading up to your eyes in blood, you could only end just where you begun; that is, to tax where no revenue is to be found, to—my voice fails me; my inclination indeed carries me no further—all is confusion beyond it.

Well, Sir, I have recovered a little, and before I sit down I must say something to another point with which gentlemen urge us. What is to become of the Declaratory Act asserting the entireness of British legislative authority, if we abandon the practice of taxation?

For my part, I look upon the rights stated in that Act, exactly in the manner in which I viewed them on its very first proposition, and which I have often taken the liberty, with great humility, to lay before you. I look, I say, on the imperial rights of Great Britain, and the privileges which the Colonists ought to enjoy under these rights, to be just the most reconcileable things in the world. The Parliament of Great Britain sits at the head of her extensive empire in two capacities: one as the local Legislature of this island, providing for all things at home, immediately, and by no other instrument than the executive power. The other, and I think her nobler capacity, is what I call her imperial character; in which, as from the throne of heaven, she superintends all the several inferior Legislatures, and guides and controls them all without annihilating any. As all these provincial Legislatures are only

bracing a system that tends to the destruction of some of the very best and fairest of his works. But I know the map of England, as well as the noble Lord (Lord North), or as any other person; and I know that the way I take is not the road to preferment. My excellent and honorable friend under me on the floor (Mr. Dowdeswell), has trod that road with great toil for upwards of twenty years together. He is not yet arrived at the noble Lord's destination. However, the tracks of my worthy friend are those I have ever wished to follow; because I know they lead to honor. Long may we tread the same road together; whoever may accompany us, or whoever may laugh at us on our journey! I honestly and solemnly declare, I have in all seasons adhered to the system of 1766, for no other reason, than that I think it laid deep in your truest interests—and that, by limiting the exercise, it fixes on the firmest foundations, a real, consistent, well-grounded authority in Parliament. Until you come back to that system, there will be no peace for England.

Mr. Wedderburne.

Mr. WEDDERBURN—I am not willing to trouble the House long upon this occasion, as it is impossible to say any thing that has not been touched on before; but I cannot agree to the characters the Honorable Gentleman has given; I differ much from him in the character of that great man (Mr. Grenville) of whom I shall always speak with veneration; but I cannot help, Sir, but think, that if you repeal this Act, the Americans will consider your weakness in the highest degree, and receive it in the same manner as if you had done it through fear. The disposition to deny your authority in America, was long before the passing or repealing the Stamp Act. The Assembly address the Council, how an Act of the Legislature came to be enrolled in their statute book, not assented to by them. Was this not a flagrant instance of their rebellious disposition? They consider all the Acts that restrain trade as illegal, and they want to treat with you upon an independent footing; but if you give up this tax, it is not here that you must stop, you will be required to give up much more, nay, to give up all. Much has been said about requisition; but I wish gentlemen would consider how, and in what manner the Ministers of this country, treating with the Assemblies of America, are to raise the money without the aid of their Legislature.

[Mr. Burke rose to explain, that he did not mean to cast the least slur upon the character of Mr. Grenville; and concluded with saying, he would not raise the bodies of the dead, to suck out the virtues of the living.]

Mr.

Mr. C. FOX—Let us consider, Sir, what is the state Ame-<sup>Mr. Charles</sup>rica appears in to this country; they will appear as useful sub-<sup>Fox.</sup>jects, if you use them with that temper and lenity which you ought to do. When the Stamp Act was repealed, murmurs ceased, and quiet succeeded. Taxes have produced a contrary behaviour; they have been succeeded by riots and disturbances. Here is an absolute dereliction of the authority of this country. It has been said, that America is not represented here, but virtually the Americans are full as virtually taxed, as virtually represented. A tax can only be laid for three purposes; the first for a commercial regulation, the second for a revenue, and the third for asserting your right. As to the two first, it has clearly been denied it is for either; as to the latter, it is only done with a view to irritate and declare war there, which, if you persist in, I am clear of opinion you will effect, or force into open rebellion.

LORD BEAUCHAMP—Sir, I should not intrude at this<sup>Lord Beau-</sup>late hour of the night, did I not wish to express my thoughts,<sup>champ.</sup> that the Americans are not contending for the mode of taxation, but the right. Some years ago, when this Act was passed, combinations took place, in order to oppose that authority which you wish to exert. Measures are now adopted to induce them to consent to this Act, not by force, but by means which I hope will bring them to a sense of their duty. Had this repeal been proposed some sessions ago, I should most probably have adopted it; but the present disturbances in America totally prevent my giving my consent to it. I think it impracticable to repeal it, because we give up our right; and I am not right to say, that no future moment I would not tax America. There may be times when the necessity of supplying the exigencies of this country may demand that aid; and therefore I would exert our authority now by a practicable claim of right, which I hope will not hereafter be disputed.

GENERAL BURGoyNE—Sir, I look upon America to<sup>Gen. Bur-</sup>be our child, which I think we have already spoiled by too<sup>Boyne.</sup>much indulgence. We are desirous to conciliate measures with the Americans; I look upon this measure to have a total different effect; I think it a misuse of time to go into a Committee, and that even the enquiry, the news of which will soon reach America, will tend to nothing but to raise heats, and not appease, but irritate and disturb the more. It is said, if you remove this duty, you will remove all grievances in America; but I am apprehensive that it is the right of taxation they contend about, and not the tax; it is the independent state of that country upon the Legislature of this, which is contended for; but, Sir, I am ready to resist that proposition, and to contend

contend, at any future time, against such independence. I will not enter into the characters of people, nor will I call the great person who planned these measures a cherubim, seraphim, or arch-angel; but, as a man, I believe he has a good head and an honest heart. [The House here seemed very noisy, and did not attend, being tired with the debate, thinking that the General belonged rather to the heavy than the light horse.] He sat down, concluding, that he wished to see America convinced by persuasion rather than the sword.

Mr. T.  
Townshend

Mr. T. TOWNSHEND—Sir, I wish much to go into a Committee upon this occasion, because the tea-duty, as an object of revenue, is unworthy your consideration; but it is an object which, when once removed from the Americans, will give ease and satisfaction to their minds; and it is preserved by you merely to keep up a continual contest. I will not go back to the ground of arguments which has been so often trod, and which I wish had not been brought forth as the ground of former proceedings, mixing them with the present. I shall look upon this Committee (if granted) as the prelude to that peace and quietness which you want to restore to America, and shall therefore give my hearty affirmative.

Lord  
Clare.

LORD CLARE—Every man who has spoke on this occasion, prudently has avoided going into any thing that gave rise to the original taxation. I am sorry to find that there is even a negative voice against continuing this tax; but as I find there is dissention upon the occasion, it will give room to the Americans to say that the question was much debated, and far from being unanimous; they will upon that account, hold resistance to the measure to be a good ground for some time or other producing a repeal. I could have wished to have seen the House nearly unanimous against the motion, as I am afraid our differences here will countenance resistance there. What, Sir, would they have us surrender the right of Great Britain? It is impossible, in the nature of things, that he can carry this question; and instead of my Honorable Friend (Mr. Fuller) wishing to restore peace and quietude, he will find he is whetting his sword that it may cut with a keener edge.

Mr. Buller.

Mr. BULLER—Sir, I would treat the Americans as subjects to Great Britain, and think them liable to be taxed as well as any others. I am afraid that the effect of all these disturbances has been owing to a change of measures in this country. I think a repeal of this Act will have a bad effect, and you will not know where it will end.

Mr. F.  
Montagu.

Mr. FREDERICK MONTAGU—Sir, I feel a strong inclination to trouble the House on this occasion. There must be one supreme right of taxing, I allow, but I think it inexpedient



ent at present to exercise it, and the only proper way of taxation of America through the medium of commerce, and not by hard money. If this motion is rejected, I do not think it will carry the appearance as if we meant to be pacific.

COLONEL BARRE—I have spoken, Sir, fully on this Col. Barre. affair, in what I have said at different times before, and it is impossible to tread the same ground, and to make it pleasant to the hearers. It has been said that millions have been collected from America for the use of this country; but it ought to be considered, that the stroke of war has been given in different parts of his Majesty's dominions, sometimes necessary in one, sometimes in another, and wherever an injury has been struck, there Great Britain repents it. This tax has been said to be not a fruitful one; I think it a very fruitful one, for it has produced riots and disturbances; it has been resisted, it has done its duty, let us dismiss it. I have been much quoted for requisitions; if you will make them with some address, they will comply. I have been also quoted for the olive-branch; I say, you have let slip several millions in the East, and now look for a revenue from a pepper-corn in the West. This you will have to lay to your charge, that you will wet your sword in the bowels of your own subjects, and have massacred many of your fellow-creatures, who do not know under what constitution of government they live, by enforcing this tax. You will at last resort to that romantick idea of requisition. The House was very noisy, and not giving much attention to him, prevented him from going on, or speaking as he had usually done, and confused him so much, that in the little argument he had, he took not, as a military officer, the advantaged ground.

LORD NORTH said, he was ashamed to take up the time Lord North of the House at that late hour of the night, and more so, as what he had to say chiefly related to himself. He gave an account of the letter which Mr. Burke had read from Lord Hillsborough to the Americans, and stated the matter of its contents in a far more sensible light than had before appeared. His Lordship said, this letter of concession was so far from quieting the minds of the Americans, that they were guilty of all riots and disturbances; that the non-importation agreement was as impudent and futile a measure as ever existed; and said, he was glad he did not, at that time, propose the repeal of this tax, when all the resolutions of the town meetings denied the authority of this country. Nothing but wisdom on our side, and prudence on theirs, can bring them to a better temper. The tea tax is not an inconsiderable revenue. Convince your Colonies that you are able and not afraid to controul them, and, depend upon it, obedience in them will be the result of your

deliberation; and let us conduct ourselves with firmness and resolution throughout the whole of these measures, and there is no doubt but peace and quietude will soon be restored.

Mr.  
Dowdeswell.

Mr. DOWDESWELL—I with the noble Lord would consider what will be the result of these measures. I apprehend the consequences will be dangerous. We are now in great difficulties; let us resolve to do justice before it is too late.

The question for the repeal of the tea duty was then put, and the House divided, Ayes 49; Noes 182.

April 20. The order of the day was read for the House to go into a Committee to enquire into the state of the linen manufacture of Great Britain and Ireland. Mr. Glover was then called to the Bar, who informed the Committee, that he had another witness to examine, a Mr. Rush; his evidence chiefly consisted in a geographical description of Germany, of the different parts of it from which we had our foreign linens, of the nature of our export trade thither, our communication with them from the out-ports by the several great navigable rivers in that country, and the several commodities of native produce and import exported to that country. As soon as his testimony was finished, Mr. Glover entered into a recapitulation of the whole evidence on the part of the Hamburgh merchants, and accompanied it with such observations as suggested themselves to him on this occasion. His speech lasted three hours, and was as follows:

When I first had the honor of admission at this Bar, I pre-faced the examination under my particular care with an assertion, that no question of higher national import could come before you; that the very basis of this kingdom's stability and power was concerned in your investigation, and the future decision of Parliament upon your report. It rests upon me to make the assertion good. With all due attention to the evidence I have examined, I shall take my principal stand upon the report of last year, made publick by the authority of this House. I shall not to my knowledge quote any controvertible fact; deductions and conclusions rank under another predicament. The report sets forth a decline in the British and Irish manufacture of linen, and the numerous emigrations of your people; facts which I admit: but that they are imputable to an increased import of foreign linens, or to any other abuse in those imports, is a conclusion I totally dispute. Having therefore admitted the evil, and rejected the cause assigned, I feel it incumbent upon me to search for the real one, upon whose discovery the main of this question in the first instance absolutely depends. Briefly, Sir, the method I shall pursue is to  
shew

shew, what has been the genuine cause of the evil, what has not, and what is not the remedy. I will then disclose the nature, depth, and extent of the malady, not hitherto fully represented to you; the quarter where it still continues consuming the vital there, and threatening more mischief to the whole; and I will conclude with suggesting, under your permission, the only radical cure.

The cause, Sir, unparalleled since the first intercourse between nation and nation, of a calamity so severely felt by three kingdoms, and the quarter whence it took its rise, and made its progress over all, will require a narrative, founded on that material part of Mr. Payne's evidence relative to the general stagnation of credit; a narrative necessary for your information, concise I could wish, accurate I trust, undeniably true I know; and such, that if the manner could equal the matter, would lift your attention to astonishment. In all commercial nations, whenever moderation and frugality have yielded to extravagance and ambition, wants have been created, which common profits could not supply; those wants have been the parents of projects, and a rash aspiring spirit of enterprise has overborne the sober temper of regular trade. This restless and intemperate spirit has been predominant among one people, distinguished by a series and variety of recent projects, concerted without knowledge, without forecast, without system, executed by rashness, terminating in ruin, almost total to themselves, and detriment almost general among their suffering neighbours. It is from this quarter we have seen stupendous undertakings in buildings, in the cultivation of remote islands, in manufactures, upon no other certainty than an enormous and insupportable expence. It is from this quarter we have seen projects of avarice, of rapacity, productive of misery and depopulation under the mistaken name of improvements. It is from this quarter, that the great markets of trade have been glutted by wild commercial adventures under the delusion of a temporary but false capital; but above all, the banking adventure is filled most with the marvellous. That part I shall not detail merely to avoid an imputation readily thrown upon me, an imputation of amusing the Committee with poetick fiction; but thus much I must say, in one period, that if a certain celebrated Spanish author could revive to exhibit his hero under the new character of a banker, he might spare his invention every kind of labour, as recent and indubitable facts in our own island could furnish incidents, every one at least upon a par with his windmills; yet, Sir, could that most sagacious person travel over that land of projects, and converse with its inhabitants, he would find amongst them,

erudition and science, jurisprudence, theology, history, oratory—in short, Sir, every sense, but that common sort, upon which all worldly welfare, both publick and private depends; by a just application of the elements of trade, manufactures, money, and credit to rational and practical improvements, a system yet to be learned by that scientifick, lettered and eloquent nation. Sir, I will now essay to excite your astonishment; these numerous undertakings, I think justly termed stupendous, were attempted nearly at once in the same period, were carried on at an expence of sums incredible, and yet the projectors had no capital of their own. They had, I presume, a second sight of immense acquisitions, and one would think pursued their plan by some supernatural aid. Sir, what they did will not be credible to posterity; the universe never furnished a people that ever made such a gigantick attempt at the attribute of Omnipotence in creation; absolutely they created millions of money out of nothing; by a certain alchymy which they possessed, they extracted millions of hard money out of the pliant purse of their neighbours, and at the same time ruined themselves. This operation, Sir, is called paper circulation.

My Honorable Hearers are above the want or use of such an operation; to suppose them, therefore, unacquainted with it, I mean a compliment to them, and an apology for myself, in giving some brief explanation of it.

A knot of projectors at one end of the island send up immeasurable quantities of this enchanted paper to their brethren, their countrymen, projectors like themselves, settled at the other end. These, Sir, by their magical tip of the pen, called acceptance and indorsement, instantly converted this paper into money to any amount by what is called discount; the first produce was instantly absorbed by the projects in hand, a second must be provided equal to the first, to discharge the first set of men when due; else the spell would be immediately broken. A second set was sent up and converted into money the same way, and applied to discharge the first. A third the second, a fourth the third, and so on.

Children in sport can make a circulation upon water by the cast of a stone, and by that repetition can keep it up for a while, but the child knows he cannot make it everlasting. This was not known to the man of the North, whose insatiation adopted the chimera of the South Sea year, that credit was infinite. For example; Sir, one society only, in the midst of all this desolation which remains to be described, had drained a certain capital of six hundred thousand pounds in hard money, in exchange for a nominal value in paper; it cost them  
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about nine per cent. to raise that sum in order to be lent out at five; and there were among their managers, who looked upon this, Sir, as profit (nobody will dispute what I say upon this head), and that the more this paper was extended the better; a bubble scarce to be matched in the 1720 of one country, and in despite of all experience then, or since, reserved to distinguish the other in 1772. In short, Sir, such was the inexplicable coincidence of circumstances, that what with the perseverance of one kingdom, in borrowing, and what with the torpid facility of the other, in lending, a chain of circulation was established, which comprehended both the capitals, and most of the intermediate places; a chain growing in size weekly and daily, enduring for the whole years 1770 and 1771, down to June 1772, when one link gave way—the charm was instantly dissolved, leaving behind it consternation in the place of confidence, and imaginary affluence changed to real want and distress; a torrent of ruin from the North forced a passage into your capital, into the most secret depositories of treasure; a run was felt by your bankers, successive falls of houses in trade, eminent at least for the wildness and immensity of their transactions, became the daily, the hourly news; an universal diffidence ensued; credit seemed withering in the root; a general stagnation prevailed in every branch of trade and manufacture; the commercial genius of your island languished in every part. For a single manufacture in that part, whence the evil took its rise, to have escaped, would have been a wonder bordering upon prodigy; none to have shared the common lot of all from a grievous and popular distemper, arising from that quarter the most restless of all, when its unsatisfied and intemperate ambition gave wing to that black swarm of projects, which at once overspread three kingdoms, like one of the ten plagues. Sir, I have pointed out a fact of publick notoriety; the quarter whence the evil came; but as a further confirmation, among the millions stagnated, or lost, in consequence of failures in that fatal period, four-fifths in value are directly chargeable upon the natives of that quarter; and of the remaining fifth, the greatest part fell among those unfortunate men of this kingdom, who had connections with the other.

Sir, there is no exaggeration in this description. I should have reason to boast of my own powers, could I give a perfect picture of the distress of that time; might I refer to the testimony of one, who, by his situation that year, must have been better informed than any other person, he best knew the terror which oppressed all men, when he produced the palladium of publick credit, deposited by the state, in the custody of that

that most illustrious corporation, the Bank of England; he there distinguished himself. I hope no man ever will have occasion to do more. It was he, he and his brethren, though they could not prevent the mischief already done, used their utmost endeavours, looking still to that country whence the evil took its rise. I was myself a subaltern upon the occasion, using my feeble endeavours to rescue that country from its own suicide hand. Sir, he confessedly, at that time, saved the principal commercial town of that country; that eye of Scotland, by straining at a view too extensive, had been extinguished without the assistance of that witness, who, when first introduced at your bar, appeared so hurt, as a gentleman and as a merchant, at certain insinuations thrown out upon the whole trade. Sir, neither Mr. Payne, nor myself, the second ostensible person upon this occasion, could look upon ourselves but as above any such imputation; but it is not in our power to shut the mouth of national prejudice; there may be thousands, whom we cannot controul, who may charge these, and many more aspersions thrown out during this proceeding, with the imputation of containing in them an illiberal and ferocious tincture, verging on barbarism. I have now undeniably ascertained the genuine cause of the calamity, which is known to be general, and the quarter whence it solely took its rise.

Next, Sir, there is another calamity, which is, I cannot help saying, undauntedly ascribed to the increased import of foreign linen, the emigration from one kingdom at least, consisting of husbandmen and peasants, men altogether unconnected with manufactures. Sir, I hope I have not tired you with narrative. I am very unfortunate if I do; for above half my discourse will be historical. I must give you a short narrative now by way of interrogation. I ask, Whether not more than twenty husbandmen of some property in one of the western islands, in the northernmost part of this country, did not make the first emigration to avoid an increase of rents, which appeared to them exorbitant, and drew after them many hundreds of inferior persons, never to return more? Did not some hundreds, in another of the western islands, fly from the oppression of factors and doers, that is, agents and stewards, of a much injured and noble proprietor, himself excelling in merit and accomplishments? Did not some hundreds in Sutherland fly from a new oppression under an Hebrew tribe, called tackmen, lessees, as is the case in Ireland, who find a profit in grinding the hard labouring man? They, Sir, had the audacity to revive personal service, in imitation of the Corvees in France, where days work are exacted from the vassal to the Lord. Sir, I had all this in the country itself. I will ask them,  
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Whether a farmer, by the name of James Hogg, of Borlum, near Thursoe, in Caithness, did not last November embark with two hundred more, and winter in the Orkneys, remaining there for a fresh ship from Leith to prosecute their voyage to North Carolina, never to revisit their old habitations, though separated from them at no greater distance than Pentland Firth. After this, a phrensy of emigration became epidemical in Inverness and Murrayshire; many embarked for America, who had no cause of complaint against their superiors. As I was told, they went upon a principle of pride to North America, expecting to become lairds themselves in that supposed paradise. I almost repeat the words I heard at Edinburgh, and several other places. Sir, the same phrensy penetrated to Ross-shire, upon a vast tract of land possessed by a gentleman, illustrious for his gallant and meritorious services in the military line, not less meritorious now in his retirement, devoted to civilize and cultivate his country; his discretion, equal to his humanity, by condescending to reason with his inferiors in their own mode, reconciled them to the comfortable situation of tenants under him; but if his example is not followed, emigration will take place, and augment year after year; and, I hope, without offence, I may recommend the same example to Ireland. Sir, I will likewise recommend my Honorable Hearers to an Highland discourse upon this subject, transmitted to me from Scotland, which more forcibly and more pathetically ascribes this emigration to the same causes I do, superadding one of his own infinitely beyond my reach, that this spirit is infused by divine vengeance, to chastise avarice and cruelty. And thus, Sir, I have endeavoured to shew what has been the cause of this evil.

But now, Sir, the authors of all these evils, with no other sensation than of their local distress, concealing, that their wounds were given by their own suicide hands, without compunction for the misery brought on two sister kingdoms by so many unwarrantable and pernicious projects, have taken the field a second time upon a new adventure, which I will prove hurtful to themselves and the publick: but let them not think, that their march has been in disguise, by placing an English manufacture in their van. Sir, I honor the individual industry of that manufacture, as much as in the greatest; but I am satisfied no English gentleman can be displeased, when I tell him, that the utmost annual value of that manufacture, to the highest amount of their own stating in the printed report, is not a five hundredth part of the woollen; nor can they conceal under the name of another kingdom, quiet and contented in itself from the encouragement already received, no  
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ways addicted to projects, knowing, experienced, and regular in their trade. I say, that under that name, they must not think to conceal that impetuosity, which has brought them forward again, and has fixed them upon a ground of allegation and calculation diametrically repugnant to the truth of figures. I believe I must now trouble you with a little calculation.

Mr. Payne, Sir, delivered to the Committee most accurate calculations of foreign imports at several periods—a paper (No. 12) in the printed report, will sufficiently shew the fluctuation of trade. I, when asked as a Hamburg merchant, what the quantity of yards might be at a medium, have always answered, that for many years they have amounted to twenty-five millions of yards a year, not meaning that every year was alike: and one, who judges of trade by the highest year, and another by the lowest, would be both equally mistaken, and ever remain in the dark. Accidents, common or uncommon, occasion these variations. This paper (No. 12), a paper of their own, Sir (I hope I shall not be guilty of any thing clandestine, in making use of any thing from their own papers against them), this paper exhibits the imports for twenty years, from Christmas 1751 to Christmas 1771; to form a comparative judgment of trade, you should always take large periods. In the first ten years the imports amounted to three hundred millions of yards, or thirty millions at an annual medium. The last period of ten years amounted to two hundred and fifty millions of yards, twenty-five millions at an annual medium. Now, Sir, it seems to me, that this is a decrease of five millions of yards; and that twenty-five is less than thirty by five. They call this an increase; it is not the first time they and I have differed about the meaning of words. The quantity of Irish linen in the first period, is a hundred and thirty millions of yards; in the last period, one hundred and eighty millions. This I call an increase in the last period of fifty millions, or five millions a year. The quantity of Scotch linen stamp for sale in the first period, is ninety-nine millions of yards; in the last, one hundred and twenty-seven millions. An increase of twenty-eight millions, or 2,800,000. a year. I, Sir, who have been intimately conversant with a certain new race of calculators upon a former occasion, do suspect, that upon the present occasion they have lent some of their skill to the Irish; nor am I in the least surpris'd at my differing with them in the meaning of decrease and increase: we never could agree upon the sense of the words profit and loss: for, Sir, no warning, no advice, no argument could persuade these calculators, that lending out at five *per cent.* money which stood them in nine, was an operation directly the reverse of profit; nor



nor till they were wholly undone did they discover, and then by the perception of feeling only, that five was less than nine.

Gentlemen will observe, that this calculation in their paper goes no farther than Christmas 1771. The two subsequent years, 1772 and 1773, will afford some peculiar observations, which I hope may throw some commercial lights into the Committee; lights, I hope, intelligible without commercial practice. Will Gentlemen please to look over the paper (No. 12) they will find in the years 1770 and 1771, the increase of linen imported was very considerable; so they will find the case of linen and all other articles, either home-made or imported, that could supply the North American markets. The expectation of an immense export to that country, upon their cancelling their non-importation contract, naturally produced this increase of stock in all kinds of goods, foreign or home-made, for that market. Unfortunately, Sir, at this very crisis, the pernicious paper circulation was in full action, and by the creation of false capitals, encouraged so many adventurers to engage in this export, that the American markets became overstocked; and what was in itself an advantage became a disaster. Thus, Sir, I do not allow, that even the over-stocking the American markets was a cause, even in concurrence, of the calamities I began with describing; it was itself an effect of the original, primary cause, the paper circulation; but the disaster was not known in time to prevent more mischief in 1772; for, Sir, the Irish, in that fatal year, furnished a very full quantity, twenty millions and a half of yards, the Scotch above thirteen millions, a trifle less than in 1771; the foreign merchants twenty-seven millions, about a million less than the year before; a quantity, upon the whole, too large for any usual demand. In this state intelligence was received, that goods sold to loss in North America. Upon this, Sir, the grand northern apparatus of the philosopher's stone was overfet; and all that stagnation, all these evils ensued: the merchant and manufacturer were found loaded with goods, which they could not sell. This, Sir, is a natural effect of the original cause. Then, Sir, a monitor more powerful than King, Lords, and Commons, or all the powers upon earth, the irresistible monitor, necessity, took place of prudence. What was the consequence in 1773? The Irish in 1773 reduced their quantity only about two millions of yards, one-tenth part: the Scotch, *pro hac vice*, wiser than the Irish, reduced theirs from thirteen millions to ten millions seven hundred thousand yards. The merchant, rather more enlightened, and endued with more forecast than the manufacturer, reduced his from twenty-seven millions to seventeen and a half, the lowest import that ever was known:

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and in that very year, the authors of all the mischief accused the merchants of having brought over such a quantity of linen as occasioned all their distress. This is the state of the case. Thus, Sir, I have shewn what was the real cause of the evil in the first instance, and in this last what was not, if there is any truth in figures. Here I must observe, low as the import of foreign linen was in the year 1773, when it was accused of an increase, it will still be lower this year. I do not speak merely from the opinion either of Mr. Milloway or my own, or the Hamburgh merchants put together; I have really enquired, and find by the ship brokers, that the Hamburgh merchants this spring have brought one-third less than they brought at this time last year; a fortunate event to one kingdom, an innocent partaker of the mischiefs resulting from the projects of the other; fortunate too for that last, if at length, warned by their own self-created sufferings, they will learn to controul that inordinate and intemperate ambition, which, despising advantages slow but sure, and forcing births premature, hath produced so many ruinous abortions. They are most of them scholars; they will find that sentiment better expressed in the original, the wisest of Roman historians, under the head of Brutidius Niger, in these words describing men, *Qui, speratis, quæ tarda cum securitate, præmatura vel cum exitio properant*\*. I would likewise recommend the whole passage to their serious attention, as a preparation for their only remedy, far different from any they have yet suggested for themselves. This brings me to that part, where I am to consider, what are not the remedies. And here, Sir, I take the most open ground of an advocate, the friendliest of advocates of our home manufacture of linen, in particular the Scotch; as a partiality is due to a country the deepest in distress: but, Sir, severe sincerity is a part of friendship; nay force, to hold back the hand of error from distempered lips, eager to swallow poison for a medicine. I think, Sir, now, whatever may have been the projects at first intended, or now meditated, or even wished for on this subject; I say, after having studied it for forty years, and court- ing such an occasion as this, I am determined, if you will condescend to hear me, that the whole and every part of this important question shall be sifted to the bottom once for all. Sir, the first idea, but I call it project—I will prove all to be project—the first project is an imposition (we talk from public notoriety, not from matter of supposition) of 10 per cent. upon all foreign linen imported. I aver, that upon the ten species of narrow German linen, the duty for many years past is about

\* Tacit. Ann. 3, C. 66.

27 *per cent.* upon the prime cost, computed to the time the goods are put on board the ships for London; but minute calculators may add forty shillings more for the freight and insurance to London, which will make 27 upon 102. As for my own imports, I solemnly declare, upon the nicest calculation for years back, I pay more than 30 *per cent.* I pay 30 *per cent.* but there is a reason; I deal more in the lower fort. I stated about 27 as the medium price upon all German linen imported. I have proved by that most candid and weighty witness Mr. Pearson, that under the old duties, foreign linen, and some of the bulkiest, are run into several parts of England. When I mention my own imports paying 30 *per cent.* these new calculators tell me I pay but 15, according to their mode of computing duties in their country. If they were to tell me they did not pay a shilling, I would not dispute their veracity. I beg they would not dispute mine. I did allude to an aspersion thrown out (I, it is true, have proved a clandestine import into England), but as to the aspersions which have been thrown out, that even the merchants themselves are guilty of abuses in the entries, I shall only remind the calculators for the present of an old Spanish proverb—He whose house is made of glass, should not be the first to throw stones. I have described a certain national propensity in one region to projects; there is another propensity, which the very sight, air, and smell of the sea stimulates immediately to action. Sir, that propensity is so strong and so prevalent, that the greatest public undertaking there was abused to the encouragement of that propensity, under the specious title of promoting agriculture, trade, and manufactures. The first and noblest in dignity and fortune, distinguished more for their honor and probity than for their rank and titles, were deluded and deceived\*. And numbers of men have felt to their cost, that that society, the greatest that ever was formed without a charter, which at one time could issue 800,000*l.* in paper, and drain the city of London of 600,000*l.* in hard money, was originally, who can dispute it, the device of smugglers? and by their influence in the direction, capitals were furnished to noted smuggling so-

\* And grossly injured, might be added. Every man of common sensibility and rectitude must have felt the strongest indignation to have seen so much virtue made the property of clandestine artifice. A bill of pains and penalties was applied in 1720. With equal justice the same rigid measure is applicable to 1778, and was more fatal than the former to the trade and manufactures of these kingdoms. Let it be observed, however, that the general stagnation was owing to a numerous train of other defeated projects, who shall be nameless, and was more I apprehend than derived from Messrs. Douglas, Heron, and Co. The highest acknowledgments and veneration are due from the whole community to the illustrious and worthy part of that unfortunate society, who, at so exorbitant an expence to themselves, did not leave a single bill of theirs unpaid.

cieties to the amount of 28,000*l.* in one instance, the most notorious of all. I do not mention this by way of retaliation, but I mention it as argument. This inference may be drawn from the practice of both kingdoms, that at any time, from any quarter, where this propensity prevails the most, any proposition for an increase of duty, already heavy, should be received by the Legislature with a jealous ear. Here I step forth again in behalf of the honest Scotch manufacturer. He, Sir, not speculating beyond his boom, taking all for encouragement which comes from Parliament, particularly this addition of 10 *per cent.* upon 27, will double his industry, will over-stock himself, and find himself, after all his labour, supplanted by the smuggler. I do not deal in assertion: I rest upon a fact proved at your bar. When the cambricks were put under a prohibition, two manufactures were soon established; one in the South, which lost all their capital, I fancy more; the other in the North; they, Sir, were great sufferers, because the smugglers supplied all the markets in England.

The next project is to retain the new duty upon export to the Colonies. Two consequences may be clearly foreseen; the poor industrious Scotchman will exert himself again under the double delusion of a supposed encouragement, and, at first, the sudden vent of his goods; for I know, Sir, that in case it were possible this could pass, there are adventurers in that country, who would immediately have another second sight of great acquisitions from the American markets; would ship large cargoes of linen, taken up upon credit; they would get thither, and find the market possessed by the clandestine import of foreign linen. Sir, I repeat again, it is forty years I have been seriously considering the merits of this affair, and frequently, in conjunction with my brethren, have opposed, particularly, the disallowance of drawback upon exportation. The whole body of plantation merchants always joined in the opposition, upon a fact, from time immemorial, that foreign linens were run into those parts. It is true, Sir, that there have been well disposed Colonists, who used considerable quantities of linen through the channel of the Mother Country, though they could have had them 20 *per cent.* at least cheaper directly from the foreigner; and now, Sir, when there is scarce a well-disposed Colonist left, when they have been exerting the most contumacious and ferocious disobedience on account of one tax, it is suggested to impose another; as if linen could not be run into America with the same facility as tea, or as a pipe of wine into Great Britain. By this means you are really raising an encouragement to their smugglers from 20 to 30 *per cent.*; 20 *per cent.* it costs already  
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to go through the Mother Country to America; and on the head of emigration, admitting all her weavers, you would be virtually giving a bounty to the diligence and skill of those new settlers, to rival you there in the linen manufacture of this country. In the mean time what becomes of your adventurer? His goods will remain unfold; I mean the adventurer who sent out Scotch linen upon credit: no return will come home; he will become insolvent, and the poor, injured, deluded manufacturer, may make fresh application to you, to you for ever molested with applications, to achieve impossibilities: as if an Act of Parliament could regulate the conduct of a projector, in despite of his folly, or allot to every acre of land a specific produce, in defiance of the season. But the other ill consequence of a more formidable nature, my honorable hearers may find in the printed report, the gradual increase of the linens exported from the Scotch and Irish manufactures to North America, under the head of what bounties have been received; add to this the linens which are exported without bounty. I will venture to call the whole together at above four hundred thousand pounds a year, of which the better half falls to the share of Scotland. I am almost disposed to quote Tacitus again. Would these people leave such a value at the mercy of American smugglers? If they do, I believe it will be lost; and then I do not want to be assured, that nothing more is wanting to complete the misery and desolation of their country; and thus by the imposition of new duties at home, and the retention of them, upon exportation, Parliament will run the risk of strangling the manufacture, the smuggler of America holding one end of the cord, and the smuggler of Great Britain the other.

I am now come to that part of the subject, which, with submission, I believe you will deem of most consequence. I address you in your mixed capacity of senators and statesmen. I name the revolution! an æra, which all must hear with reverence; an æra, which not only established your civil and religious rights at home, but provided for them an impregnable bulwark against foreign attacks, by establishing your system of foreign trade. Throw back your reflection upon the glorious annals of your country; from your deliverer's first war with France down to the last. What fortunate means have enabled this island to endure a drain of more than one hundred millions during a period of about seventy years? The supreme guardian of all, among the multitude of his blessings on this island, has rendered its soil unfruitful in precious metals; he hath given you materials to exercise the faculties imparted to your people, endurance of labour,

labour, industry, and skill. Parliament, as far as human perfection can extend, have adopted and pursued this great and original plan. By their prudent interposition, new materials have been borrowed from foreigners, diversity of new produce, raised in distant settlements, for the further exertion of your national activity, invention and toil; which applied by the merchant, have formed that vast and multifarious machine, that sublime system of foreign trade, whence your arts and industry have derived such an influx of wealth as hath supported a succession of expensive wars, unmatched in history, and leaves you still in rank among the first nations. Would the finger of policy touch the smallest part of such a system but with a trembling delicacy? Yet now the boisterous hand of project is stretched forth to shatter the whole frame.

Sir, I must now trouble you with a little more calculation. Upon this head, I must begin by removing some small obstructions thrown in my way. You have a paper, Sir, I think, in the report which states the exports to Germany and the exports to Ireland; I may add, that the exports to Scotland, the export from the city of London to every sea port, market town, and village in England, would have made the value a great deal higher, and would have furnished matter for my new calculators to exercise their faculties upon. Are not the English, Scotch, and Irish, all fellow-subjects under the same head; and were they altogether unconnected with the rest of the globe, would there not be a great traffic carried on amongst themselves, and the community not one shilling richer or poorer? I wish the other two kingdoms took less from England, and spent less in it, upon the principles that no great members can decay without prejudice to the whole, as England has found to her cost. Traffic, therefore, between subject and subject cannot be productive of any national wealth. Sir, there can be no proposition more self-evident, than that so far as every part of a great community throws produce and manufactures into the foreigner's markets, so far as he takes from you more than you take from him, in that proportion, and by these means only, can you receive wealth. It is by these means you have increased to such a degree as to render you secure at home, and formidable to your enemies. Sir, it is certain, that you must supply your wants from other places, not merely, Sir, for your manufactures: there is a material you want for your preservation and your very being, or you would not have a ship of war, or a merchantman. First let us change the laws of nature, and then tell foreign nations you will raise every article within yourselves for your own use, and they shall take every article from us for their use.

Sir,

Sir, I have shewn that by retaining drawbacks, you hazard a loss of 400,000*l.* a year in linen vended to America. Suppose, Sir, that by the imposition of new duties at home you should succeed; that you should at once annihilate the use and consumption of all German and Dutch linens, and, by a miracle, your home manufacture should instantly supply the consumers wants in cheapness, quantity, and quality; what will be your object? You have a paper upon your table which gives you the medium value for ten years of Dutch and German linen imported, about 470,000*l.* I cannot allow all that as gain; I must deduct 170,000*l.* for the foreign yarn which is notoriously used in the British fabrick, for which I refer gentlemen to the paper which shews the great increase of foreign yarn imported; therefore all the possible object of advantage may be set at 300,000*l.* upon an hypothesis in itself impossible. Now let us consider, on the other hand, what you put in hazard. Mr. Payne has given you a state of your exports in two periods of five years each; in one, from 1762 to 1766, the annual medium is about 4,000,000*l.*; in the second period, from 1767 to 1771, the annual medium is reduced to 3,000,000*l.* It is still an immense object. I must now remove another objection; I may be told the Custom House state of these exports is vague; granted, Sir; I will allow 500,000*l.* for errors; this leaves a remainder of two millions and an half; still an immense object. But, Sir, I certainly of all men must grant, that these Custom House accounts are vague. When I had the honor of a seat within the bar, I was the first for many years who called for those accounts. I had many conferences with the officers. I know their mode is vague. I know they go upon the same plan as since the first institution of the inspector's office by the advice of Dr. Davenant. What is the inference? To carry their point, your new calculators, never looking upon both sides of a question, say, the inspector has overvalued your exports. When I reply, they are under-valued, I do not mean to set one assertion against the other. I will support mine, at least by probable conjecture. It takes the reduced state of the exports at 3,000,000*l.* I deduct 1,100,000*l.* the total import from Germany and Holland, there remains a balance of 1,900,000*l.* If there is no more, we are in a deplorable state. Now I beg you will honor me with some attention. I believe, Sir, every one of my honorable hearers will allow, if we owe any debts to Holland and Germany, on any other account, part of our balance in trade will be applied to discharge that debt. I don't know whether any gentleman remembers, that I did state it in 1763, when within the bar. Sir, you pay to those countries, particularly Holland, to a day, about 900,000*l.* for the dividend on their share in your funds; that

that must be paid by part of the balance they owe to you on trade. Another thing will be allowed to be very obvious too; if we owe a balance of trade to those countries which border upon Holland and Germany, where this balance is due to us, it will naturally center in Hamburg, but in Amsterdam chiefly, whence by negociation of exchange it will be applied to discharge that balance. I don't pretend to be accurate, *Valeat quantum valere potest*. We certainly do pay to Sweden, Norway, Russia, and the East country, above a million a year for materials, without which you could not subsist. There are other incidents, many things I have not mentioned. I have taken up too much of your time already. I have a great deal more to say. Now, Sir, I will give another conjecture. In 1771, the export of British produce and manufactures together to Germany, is set down at 386,000*l.* and for the five years of that last period, at a medium, the whole value of British produce and manufactures comes to about half a million a year. I have a paper, I believe, more accurate: it is a paper authentick, and being right in one article out of four, gives credit to the other three. It gives a state of the export of Saxon linen to England, and of three only of our manufactures into that country. They give you the value of their linen at 166,000*l.* which we will admit to be a very just valuation. Sir, the value of our hardware, furriery, and woollen goods, is 340,000*l.* Gentlemen, remember Mr. Rasch's evidence. If Saxony, in three articles only, takes off 340,000*l.* and under this head produce is not to be reckoned, I submit whether 160,000*l.* a year is not too little for the supply direct of all Germany besides. The Custom House accounts put them in only at half a million. I think it is impossible but that they do under-value the manufactures of this country; I could say, our own manufacturers and exporters are of the same opinion; however, I will take no advantage of these conjectures; I will revert to the reduced state of the exports at 3,000,000*l.*; only observing, that four-fifths of those to Holland go from thence to Germany. Now, Sir, shall that be exposed to any degree of resentment from foreign Princes? For what? For procuring an opportunity for your manufacturers to try an experiment, which may not succeed perhaps in half a century, and certainly hath hitherto made so little progress in the linens consumed by our poor against the German under the present duty of 27 *per cent.* To gain what? Why no more than 300,000*l.* a year. In the mean time all the poor of England, the labourer, mechanick, and manufacturer, must be taxed ten *per cent.* for all they use; they cannot bear that tax; they must be paid more for their labour, and the tax must be dis-

fused



fused all over England. Hence you are exposing your own manufactures to gain yearly 300,000*l.* only; whilst in the mean time you tax the country in this cruel manner. I always make a reserve; the smuggler is always very ready to give relief; he may relieve. Now, Sir, having considered the projects of the upper class, I will descend to those of the lowest, which I must beg leave to call the sediment of the crucible. I do flatter myself the great apparatus will be overfet; there may be some hopes the rates of Silesia linens may be raised, being that sort which certainly exceeds eight pence an ell; there may be some expectation that at least we may raise the rate upon that, notwithstanding the rate now at a medium of all the narrow German linen is as much as can be, being rather more than prime cost. Upon this head I shall be very short; you have heard Mr. Rasch. I beg leave to recommend every one of my Honorable Hearers to look over any common map of Germany, and if he can find any one potentate who commands the channels of communication in Germany, through which three or four millions a year must go; if he can find who is master of the Vistula; who is master of the Oder, by Stetin; who is master of the Elbe where Hamburgh lies; and through whose dominions that river runs; who is master of the Weser by Minden, where Bremen stands; who is master of the Embs by Embden, and of the Rhine by Wesel; you will find that your whole export which goes through Germany (the greatest part I allow for the consumption there), but which actually reaches Poland, Alsace, and Lorraine, &c. (there is likewise a very great value goes to France through Germany) I say, you will expose all this to the mercy of that potentate who commands the whole, and who would be less offended at your laying a general imposition upon all linens, than setting a stigma upon his in particular. It is so evident in point of policy, I will not trouble the Committee with any thing more upon that head. However, Sir, there is another very minute project indeed, and of all others the most inconsistent with English generosity and justice, the putting the Silesia damasks and tabling upon the footing of the Holland bleach, which, as has been proved to you, will amount to a prohibition. It has been proved to you, that these linens are made in Saxony, a friendly power. The state of your trade in his country I have already produced: your goods pay but a transit of about two *per cent.* add to this the excise paid by his subjects for those consumed at home; they amount together but to a trifle more than half of what his linens pay here. What we pay him for these articles does not exceed 20,000*l.* a year. Is it possible a British Parliament can treat a friend so? I must now make use of my

main argument. I am serious, when I talk in the manner I am going to do. I am a friend of the Scotch manufacturer. I have in my eye again that deluded man, who would go to work to make damasks and diapers; he will find himself supplanted by the smugglers again. I say every lady has as good a right to cover her table with smuggled damasks, as her husband has to set on his smuggled wine. Will the opulent be restrained in their luxury? I have drank smuggled wine at the table of a First Commissioner of the Treasury: I have told him so; had not his wife a right to cover it with smuggled damask? Why, Sir, if every master of a family were as rigid as Cato the Censor, he could only answer for himself; he could not restrain the female part of his family in their dear delight of purchasing pennyworths from smugglers. Sir, the last remains of our broken crucible is the disallowance of the drawbacks upon foreign linen printed here. I believe the evidence of Mr. Walker cannot be well forgot. The export is very considerable; his alone 50,000*l.* a year: the value of the labour, industry, and skill, exceeds the value of the material. We gave no offence to Germany by this; she will thank us for it, being an encouragement from her numerous manufactures in printed linen, to expel you from every market in Europe and its Colonies. I shall close this head with a reference once more to Mr. Payne's state of exports for the two periods, and shall add a dissection and corollary of my own, which fills me with alarming ideas. Sir, of the 5,000,000*l.* (Gentlemen, I believe, remember, the first period produced four millions a year, and the last three) of the 5,000,000*l.* lost in the last period, 2,000,000*l.* fall on your manufactures. First I must premise; in the Custom House accounts you see two heads of exports; one under foreign goods and merchandise, the other under British manufactures and produce. The decrease on the foreign part is but 850,000*l.* the remaining 4,150,000*l.* consist of British manufactures and produce\*. Sir, the produce cannot amount to more than the odd money; the produce being lead, salt, coal, tin, and other trifling articles; therefore the remaining decrease of 4,000,000*l.* falls upon your manufacture at the rate of 800,000*l.* a year. Now, Sir, I have got to compare with this decrease a state to shew, whether in the same

\* To satisfy the curious, the annual medians of British manufacture and produce, exported to Holland and Germany, are here subjoined, for four periods of five years each, instead of the two above:

1752	to 1756 inclusive,	about 1,622,000.
1757	1761	1,800,000.
1762	1766	2,041,000.
1767	1771	1,216,000.
1772	and 1773, at a medium,	1,031,000.

period

period the linen manufacture has decreased in proportion. Sir, upon their own paper, and upon their own value I find, while your exports decreased in that proportion which fell upon your manufactures, principally the woollen, that the linen manufacture has increased above 300,000*l.* a year; what are we to understand by all these complaints? I desire to know, what check have they met with? Sir, it appears by those papers, that they have increased above 300,000*l.* a year, while your manufactures decreased 800,000*l.* a year. Here, Sir, I desire to hear no more of the vague accounts of the Custom House, but instead of 4,000,000*l.* call the first four parts; instead of 3,000,000*l.* call the last three parts: then I tell those who did not, upon one occasion, know that five was less than nine, and on another, that twenty-five was less than thirty, I do insist upon it, that three is less than four; in that proportion have your exports decreased. No doubt, there are errors in the Custom House accounts; but as those errors are common to all periods, the proportion of increase and decrease is true. If four be more than three, which is my way of calculating, there is a decrease of one fourth part; of that, four fifths fall upon your manufactures. I will tell another most extraordinary thing: of that decrease in your manufactures near three-fourths is in the export to Germany, and but little more than one-fourth to Holland, though Holland, for twenty years together, had taken considerably more of your exports than Germany; but the exports direct to Germany chiefly go to that part where the linen fabricks are carried on. I must mention an æra that appears very singular to me; others may call it ominous. The year I look back to is 1767, when I had the honor of a seat among you, I did with others oppose a new duty upon German linen, upon the same principles and arguments I used this day; a predominant interest over-powered us: but it is strange, that the decline in your woollen manufacture just coincided with that year in which you laid the new duties, particularly upon Silesia lawns. This being the case, your linens increased as your woollens decreased; and this all proved from their own papers. I have, in the beginning of my discourse, Sir, admitted a decline; so I did. What is the nature of that decline, and extent of it, I will explain to you. There was no other check, but what came from paper circulation; I know of no other. Your exports plainly have been checked. What is the nature of that check upon the linens? They made the full quantity in 1772; in 1773, Ireland made a tenth part less than they did the year before; which, Sir, is a fluctuation that may be the effect of any common casualty in any great manufacture; and to say, because in 1773 they made

two millions two hundred thousand yards less than in 1772, that that has occasioned an emigration of thirty thousand people.—Sir, it is an affront to your understanding, to come and allege such an argument as this. Such an accident might have happened without any man's being able to assign any cause at all. Whim, fancy, mode, will make an alteration of a tenth part one year with another. Add the Scotch and Irish together, it is but a seventh or eighth part diminution in both, between 1772 and 1773; it is all the check they have met with from that paper circulation, which shook the credit of England to its basis. Why, now, Sir, let us add, that in 1773 foreign linen was reduced a third; in 1774, I pledge myself, it will be reduced lower. As these people have the markets here before them, and their ancient competitor in this crippled state, with what propriety, with what decorum is any favour of any sort due to them, who have been proved to be increasing when your great staple was decreasing, and is still, from no other cause but from the dreadful northern projects; while the linens are now in a situation to be envied by every other manufacture, even by that great staple itself? Sir, asking a favour under these circumstances for a manufacture, is overlooking your own great staple. Sir, such a preference would be an insult upon the first interest of this country, the landed interest; it would be an insult upon the second, the commercial and manufacturing interest; it would be an insult upon the common sense of every rank and order in this country. And why? Sir, is it because your own manufacturers have not vexed Parliament with applications; have not applied to you, Sir, as the grand physician of the State, and treated you as an empirick to undertake distempers incurable, but by time and necessity? Is it because their complaints have been only whispered and murmured within their own neighbourhood? Have you not seen the streets of the capital filled with mendicant cries of miserable swarms from the silk manufactory? Were not these people content to render themselves the objects of private charity? Did they come to your door? Who is it that has molested Parliament, and exhausted your time? Did other manufacturers, particularly the poor weavers, under all the horrors of northern paper circulation, which even diminished the traffic and consumption among yourselves? Did they not submit in quiet, did they ask your aid? No, Sir, they never wearied and troubled Parliament. Is Parliament, are Committees to sit, is the whole House to be taken up under all these circumstances, which I do say, I have proved? Is it for one manufacture in a state to be envied at this time by your woollen manufactures? As if the first in that envied state are  
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the only objects of Parliamentary attention; and must you overlook all others, because they have been silent, because they have been patient, while those others, Sir, the authors of all the evils (I say again) desperate in undertakings, even of credulity and hope, desperate alike under disappointments, whether imaginary or real, are now come, not intentionally but eventually, to widen the wound already given to your own great staple, to empty your populous towns by unravelling, with obtuse and impolitic violence, a texture woven with so much attention by the wisdom of your fathers, and maintained by your own; that texture, which the guardian power of your island extends over the whole empire, to distribute those copious faculties which constitute your national security and greatness, I mean your system of foreign trade? And upon what allegations, upon what calculations, what arguments and deductions I need not repeat. And what time has this unfortunate people chosen to raise a flame among all the great interests of this country? At a time, I tell them, when the salvation of their country depends upon the faculties of England, and her liberal and immediate application of them to preserve a restless, ambitious, and improvident sister. Sir, this leads me now to the last head of my subject. I have shewn you not only the cause of the distemper, but where it lies. Sir, it lies there still; that sister is as much distempered as ever, and she must be saved; for it is impossible that Scotland can fall but London must totter; and yet, Sir, her distemper is of so peculiar a sort, that it is not curable by time and necessity; but it may by Parliament. Now, Sir, I will shew to you what the disorder is. In consequence of so many unsuccessful projects (I shall not be contradicted, Sir), she has contracted a capital of debt to England, a recent debt, all within four years, which she can't pay; it would be injurious and indecent for me to hint at any thing more than one society, about which I professed never to keep a secret; it now owes 600,000*l*. Pay-day must come; I hint at nothing else. Payments in the shape of interest and annuities have created an annual drain upon that country it cannot bear. There is another new annual drain created by their own credulity, which taking their increased paper currency for an addition of solid wealth, increased their expence of living in proportion. The imaginary wealth is vanished, and the habit of expence remains. I do take upon me to say, I defy all Scotland to say, they understand their affairs as well as I do; no, Sir, not all Scotland together. I don't speak with vanity, I pay myself no compliment when I say so. Then, Sir, what must be done? Nothing but an immediate influx of money. England

land, I believe, is awakened from her stupefaction, and will no longer be fascinated at the sight of Scotch acceptances and indorsements. Money they have not. Now I come with my remedy. You have already passed one Bill to ratify the agreements made with the annuitants of Douglas, Heron and Co.\*

Sir,

\* Mr. Glover's Speech introductory to the proposals laid before the Annuitants of Mess. Douglas, Heron, and Co. at the King's-Arms Tavern, Cornhill, on the 9th of February, 1774.

Ladies and Gentlemen,

YOU are called together by virtue of an advertisement, inviting the Annuitants of Mess. Douglas, Heron, and Co. to meet at this place and receive proposals for the redemption of their Annuities.

Ladies and Gentlemen,

You have conferred upon me the honor of presiding among you in this chair, where I appear before you in a double capacity: first, as an Annuitant myself; secondly, as one desirous to contribute my part, however inconsiderable, to prevent any fresh wound to publick credit, so essentially hurt from June, 1772, and requiring a whole twelvemonth after to revive.

Every one must remember that fatal month of June, when the first link of that chain of unnatural and forced circulation gave way, the number of bankruptcies which ensued, and the almost total stagnation of trade and manufacture in every branch. In the midst of this calamity the unadvised and rash conduct of the Air bank had out in London bills, to be provided for, amounting to six hundred thousand pounds.

Had their managers known the extent of their own circulation, and the specific periods of its coming due, common forecast would have made the necessary provision in time, and enabled them to have sold their annuities with more facility at ten and eleven years purchase, than at seven and eight, and consequently have produced a saving of more than 180,000*l.* to that unfortunate company. But the want of all forecast brought upon them immediate pressures, insurmountable by common means, and compelled them to the recourse of tendering uncommon advantages to lenders, that those who had money might be tempted to part with it at a notice sometimes not exceeding eight-and-forty hours.

By this desperate measure they raised at different periods, in about three months, 460,000*l.* burdened with an annual charge of 60,000*l.*; an increase of drain beyond the faculties of Scotland to bear. To this 460,000*l.* they added, from their own cash, about 60,000*l.* more, all they could possibly muster; and, accordingly discharged 520,000*l.* value of their bills in London, but leaving still a circulation of 80,000*l.* to be struggled with. Their daily declining credit could endure this last conflict no longer than April 1773, when they were saved from bankruptcy, and publick credit from another fatal blow, by the interposition of Mr. Banks of Lincoln's-Inn, and of myself under him, who supplied that 80,000*l.* upon the security of landed estates in Scotland assigned to Sir William Henry Ashurst, the Lord Advocate of Scotland, the Solicitor-General of England, the Solicitor-General of Scotland, Mr. Banks, Mr. M'Konochie and myself, as trustees in behalf of the lenders, but with this express condition previously agreed, that Mess. Douglas, Heron, and partners, should be dissolved as a banking company. By this last stipulation the publick indeed was served, being no longer exposed to a paper circulation of so pernicious a nature. However, the book and bond creditors, the annuitants, and every partner of this unhappy company, were left in a precarious situation from a weight of annual payment, to which their monied faculties were unequal.

Many of the annuitants have been alarmed at a suggestion that their annuities would be made void in law, as usurious bargains. True it is, that insinuations of that sort have been thrown out; but it is as true that they were heard with the highest indignation by all the worthy members of this society, and by those noble personages in particular, who have now stepped forth and taken upon themselves the

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Sir, I make no doubt, you passed that Bill upon those principles corresponding with your dignity, which are publick principles; if that proposal had not taken place, you would have seen the same scene of desolation in 1774 as in 1772, therefore it was from publick principles. The authors of that Bill acted upon those principles, to protect publick credit from such another stunning blow which it received in 1772. All is due to the noble personages in that affair, whom I not only love and esteem, but admire; they, by the severest losses, purchased an opportunity of shewing to God and Man, how much the chaste light of honor and probity exceeded the glare of pomp and title. But their own, in this affair, was but a secondary consideration. I have taken up too much of your time already, or I could demonstrate from facts, taken upon my own knowledge, that you would have seen a return of the same desolation before the expiration of 1774. This is only a part of a plan to save Scotland. I believe, we shall not lend them money on their bills and notes, but are willing to lend them money upon land, an indubitable security incapable of fallacy. I cannot miss this opportunity of recommending another Bill, which is under the consideration of the learned gentlemen of both kingdoms. I am so convinced of the necessity of it, I cannot

mainly part of winding up this unfortunate business, the unadvised, the blameable project of others; and were they convinced that these contracts were actually voidable in law, yet conscious of a transaction so publick, open and fair, the noble personages reject the very thought of so mean a subterfuge, and pledge themselves and their estates to the strict performance of their engagements. Heavy indeed will be the loss sustained by these noble Dukes; but probity can deduce good out of evil. Without this severe trial they never could have found so striking an occasion of evincing to mankind, how much the dignity and lustre derived from honor and rectitude are superior to rank, title and fortune. The one begins life with the early acquisition of glory, resulting from honesty, that supreme gift of God. The other will close his term with a last and greatest exertion of his long-approved integrity, which hath ever obtained universal love and esteem, and will accompany his venerable head to the grave.

It was jointly with them only, and directly on the single principle of supporting publick credit, and relieving so many distressed and alarmed individuals, that I have lent my best assistance. Solicited and authorized by them, I now appear in their behalf before this respectable Assembly with proposals, which, whether accepted or rejected by you, will demonstrate the upright intentions of these deserving and virtuous Noblemen; whom, as an independent man, I do not court; but to whose merit, as an honest man, I must do common justice: and have done no more.

Ladies and Gentlemen,

The subject before you is of a publick nature; I have no secrets about it; put to me what questions you please; I will answer to the best of my knowledge and information.

N. B. The proposals, which have been since so well understood by the publick, were unanimously agreed to by a very numerous meeting of annuitants; and the two original proposals, which were signed at the meeting, were left, one at Mr. Glover's in Martin's Lane, Cannon Street, the other at Mr. Mayne's in Jermya Street, for such annuitants as pleased to subscribe.

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omit this opportunity of recommending what I mean by a radical cure. There are objections to Scotch mortgages, which will deter English lenders. In the first place, money lent upon a Scotch mortgage is not personal property, nor deviseable by will: John Bull will not lend upon such principles; and if you want the principal, it is not recoverable as in England. Sir, there must be a Bill, which is under consideration, to put Scotch mortgages upon the footing of English ones. Now, Sir, it will be an advantage to the South Britain to lend out his money, so perfectly secure, upon so high an interest. It will be in the power of the North Briton to pay that interest, from the profitable use he will make of the money; for, by that means, in a few years, he may be enabled to pay his debts, and to be at ease, like the other parts of the kingdom: and this, Sir, will tend to extract the very root of all their distemper, which is pride and ambition, upon this axiom, that in all communities which are most at their ease, the spirit of project prevails the least. I want to put Scotland into that state of ease; they then would find how much more comfortable it is to enjoy advantages slow and sure, from moderate, temperate trade, and look back with horror upon those paroxysms of mind in that dreadful interval between the birth of a project, and its last fatal dissolution. They have room for improvements; they can make ten, fifteen, twenty *per cent.* and afford to pay you five; you, by these means, make a sifter kingdom happy, and cure her both in mind and body.

Now, Sir, my peroration shall consist in a single request; that you, Sir, and the Committee, will be pleased to accept such expressions my gratitude may furnish, of sensibility for so much indulgence, so much of your time and patience; and if, Sir, I have performed what I undertook; if I have ascertained the genuine cause of the disorder; if I have shewn what are not the remedies, what is the nature of the distemper, and what is the cure: if, Sir, I have used no language illiberal, no arguments fallacious, no allegation untrue; if, Sir, besides the accustomed grace and humanity within these walls to all who appear open and undisguised at the Bar; if, besides the complacency of those among my Honorable Hearers, who may not know me, or the partiality of those who do, I may, Sir, be dismissed from this place, under the humble hope of having obtained the smallest share of your solid approbation, in consequence of having thrown the slightest spark of light upon a subject so copious and national, this laborious exertion of mine, full late in life, and I trust the last, will be deemed by  
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me as auspicious and honorable for the remainder of my days\*.

\* Papers illustrating the Speech.

\* Total quantities of foreign linens imported into England from Christmas 1751 to Christmas 1771.

	Yards.
1752	27,856,122 $\frac{1}{4}$
1753	35,372,907
1754	30,871,973 $\frac{1}{4}$
1755	31,947,447
1756	31,759,234 $\frac{1}{4}$
1757	28,429,072 $\frac{1}{4}$
1758	29,770,104 $\frac{1}{4}$
1759	25,057,533 $\frac{1}{4}$
1760	27,988,972 $\frac{1}{4}$
1761	30,428,424

Yards.  
299,481,791 $\frac{1}{4}$  Tot. which is 29,948,179 per ann.

1762	18,827,853 $\frac{1}{4}$
1763	26,634,851
1764	28,092,215 $\frac{1}{4}$
1765	25,497,795 $\frac{1}{4}$
1766	25,624,107 $\frac{1}{4}$
1767	21,054,411
1768	23,112,549
1769	25,431,162 $\frac{1}{4}$
1770	27,101,343 $\frac{1}{4}$
1771	28,243,121 $\frac{1}{4}$

Yards.  
249,619,210 $\frac{1}{4}$  Tot. which is 24,961,921 per ann.

1772	27,338,881
1773	17,725,443

Total quantities of foreign linens exported from England from Christmas 1751 to Christmas 1773.

	Yards.
1752	7,187,110 $\frac{1}{4}$
1753	7,448,672 $\frac{1}{4}$
1754	6,981,528 $\frac{1}{4}$
1755	7,542,694 $\frac{1}{4}$
1756	8,461,726
1757	8,461,031 $\frac{1}{4}$
1758	7,989,160
1759	10,482,730 $\frac{1}{4}$
1760	10,071,851 $\frac{1}{4}$
1761	6,740,960 $\frac{1}{4}$

Yards.  
8,735,466 $\frac{1}{4}$  Total; which is 8,137,546 per ann.

	Yards.	
1762	5,990,706 $\frac{1}{2}$	
1763	8,046,844 $\frac{1}{2}$	
1764	7,889,265 $\frac{1}{2}$	
1765	6,394,147	
1766	7,171,891	
1767	7,174,784	
1768	8,046,980 $\frac{1}{2}$	
1769	7,102,527 $\frac{1}{2}$	
1770	8,461,546 $\frac{1}{2}$	
1771	10,470,129 $\frac{1}{2}$	
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	76,748,833 $\frac{1}{2}$	Total; which is 7,674,883 per ann.
1772		8,721,791
1773		7,058,921

Total quantities of Irish linens exported from Ireland from March 25, 1751, to March 25, 1773, as delivered by Mr. Henry Betty.

	Yards.	
1752	10,656,003	
1753	10,493,858	
1754	12,092,487 $\frac{1}{2}$	
1755	13,379,733 $\frac{1}{2}$	
1756	13,272,884 $\frac{1}{2}$	
1757	15,508,709	
1758	14,982,557 $\frac{1}{2}$	
1759	14,093,431	
1760	13,375,456 $\frac{1}{2}$	
1761	12,048,881 $\frac{1}{2}$	
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	199,904,001 $\frac{1}{2}$	Total; which is 12,990,400 per ann.
1762	15,559,676	
1763	16,013,105 $\frac{1}{2}$	
1764	15,101,081 $\frac{1}{2}$	
1765	14,335,205	
1766	17,892,102 $\frac{1}{2}$	
1767	20,148,170 $\frac{1}{2}$	
1768	18,490,019 $\frac{1}{2}$	
1769	17,790,705	
1770	23,560,754	
1771	25,376,808	
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	181,287,627	Total; which is 18,128,762 $\frac{1}{2}$ per ann.
1772		20,599,178 $\frac{1}{2}$
1773		18,450,700 $\frac{1}{2}$

Total

Total quantities of Scotch linens, stamped for sale in Scotland, from the 1st of Nov. 1751 to the 1st of Nov. 1773, as delivered by Mr. George Goldie.

	Yards.
1752	8,759,943 $\frac{1}{2}$
1753	9,422,593 $\frac{1}{2}$
1754	8,914,369
1755	8,122,472 $\frac{1}{2}$
1756	8,547,153 $\frac{1}{2}$
1757	9,764,408 $\frac{1}{2}$
1758	10,624,435 $\frac{1}{2}$
1759	10,830,707
1760	11,747,728 $\frac{6}{8}$
1761	11,995,494

Yards.  
98,729,306 $\frac{1}{2}$  Total; which is 9,872,930 $\frac{1}{2}$  per ann.

1762	11,303,237
1763	12,399,656 $\frac{1}{2}$
1764	12,823,048 $\frac{1}{2}$
1765	12,746,659 $\frac{1}{2}$
1766	13,224,557
1767	12,783,043
1768	11,795,437
1769	13,406,125
1770	13,049,535
1771	13,466,274 $\frac{1}{2}$

126,997,572 $\frac{7}{8}$  Total; which is 12,699,757 $\frac{7}{8}$  per ann.

1772	13,089,006 $\frac{1}{2}$
1773	10,748,110 $\frac{1}{2}$

Total quantities of Irish linens imported into England from Christmas 1756 to Christmas 1773.

	Yards.
1757	11,925,290
1758	14,383,248
1759	12,793,412
1760	13,311,674
1761	13,354,448

Yards.  
65,768,072 Total; which is 13,153,614 per ann.

1762	13,476,366
1763	13,110,858
1764	13,187,109
1765	14,757,353
1766	17,491,229

72,472,915 Total; which is 14,494,583 per ann.

	Yards.
1767	16,500,755.
1768	15,249,284
1769	16,496,271
1770	18,195,087
1771	20,622,217

87,063,578 Total; which is 17,612,715 per ann.

1772	19,171,771
1773	17,896,994

Total quantities of British and Irish linens exported from England and Scotland from January 1757 to January 1774, with the bounties paid each year thereon.

	British.	Irish.	Bounty.
1757	2,052,628	2,345,994 Yds.	£ 27353 11 4
1758	3,163,069	2,577,357	35832 1 10
1759	3,088,910	2,287,707	33584 4 1
1760	2,390,526	2,652,891	31471 12 1
1761	2,364,263	2,253,370	28855 14 4
Total	13,059,396	12,117,319	157097 3 8
per ann.	2,611,879	2,423,463	31419 8 8
1762	2,598,524	3,460,453	37868 12 0
1763	3,801,421	2,953,324	42199 8 10
1764	3,744,861	2,175,004	36892 0 9
1765	3,340,263	1,964,579	33155 5 4
1766	3,648,247	2,224,547	36682 16 11
Total	17,133,316	12,777,907	186748 3 10
per ann.	3,426,663	2,555,581	37349 12 9
1767	3,973,964	2,746,464	41971 11 9
1768	4,295,949	2,827,544	44517 18 11
1769	4,606,235	2,503,871	44386 5 1
1770	4,861,184	3,501,712	51901 16 1
1771	6,650,879	4,245,553	62203 14 5
Total	24,333,211	15,825,144	244681 6 3
per ann.	4,866,642	3,165,028	48936 5 3
1772	8,479,408	3,508,827	61038 6 0
1773	7,908,554	2,752,992	53623 17 1

The above account of British and Irish linens exported includes only such as are entitled to the bounty, a very considerable quantity is

is exported above 18d. a yard, of which no account is furnished from the Custom-House.

Sundry States and Observations thereupon.

Exports from England to Holland from 1762 to 1766 inclusive, foreign, viz. all the East, West-India, and North-American commodities to

Holland,	£. 4,820,412	4	2
Ditto to Germany	5,276,938	7	0

Total from 1762 to 1766	10,97,170	11	2
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Foreign as above from 1767 to 1771,

To Holland,	4,854,331	9	3
Ditto to Germany,	4,393,547	3	10

Total from 1767 to 1771,	9,247,878	13	1
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Decrease in the foreign	849,291	18	1
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All in the export to Germany, with £. 33,919 5 1 more, the export to Holland having increased to that amount.

British manufacture and produce, the latter lead, tin, coals, salt, &c. of trifling value to the whole, exported from 1762 to 1766 inclusive,

To Holland,	4,868,221	5	5
Germany,	5,355,659	12	7

£. 10,243,881	5	0
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From 1767 to 1771,

To Holland,	3,540,631	13	8
Germany,	2,540,405	18	9

Total from 1767 to 1771,	6,081,037	12	5
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Decrease in the British,	4,162,843	12	7
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Ditto Foreign, as before,	849,291	18	1
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Total of both,	£. 5,012,135	10	8
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At a medium of the last five years

£. 1,002,427 2 2 per ann.

N. B. Decrease in the Brit. to Germany,	£. 2,835,254	0	10
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Ditto, Foreign to ditto,	883,211	3	2
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Total Decrease to Holland,	1,293,670	6	8
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£. 5,012,135	10	8
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Near 1/2 to Germany direct,

But 1/4 to Holland direct.

Although upon a medium for 20 years the exports to Holland have exceeded the exports to Germany.

N, B,

N. B. The total of exports to Germany and Holland from 1762 to 1766 is about £. 20,340,000

Or, £. 4,068,000 at a medium per ann.

Ditto from 1767 to 1771 about 15,330,000

Or, £. 3,066,000 per ann. which makes above £. 1,000,000 per ann. loss, yet in this state of decline still exhibits an export of the last mentioned sum, viz. £. 3,066,000

The imports from these countries for ten years back are given in at about 1,090,000 per ann.

Balance in favour of Great Britain, £. 1,976,000

State of the linen exported from Ireland, and of linen stampd for sale in Scotland in the above periods, viz.

From 1762 to 1766, 141,418,328 yards, Val. £. 8,347,043

At a medium of these five

years, 28,283,665 yards.

From 1767 to 1771, 166,866,870 yards, Val. £. 10,855,528

At a medium of these five

years, 33,373,374 yards.

Annual increase of linens at a medium in

the last period about 5,000,000 yards

Val. £. 325,276

Annual decrease in the exports to Holland

and Germany to the value of

£. 1,000,000

N. B. Of the said decrease in the exports £. 800,000 falls on manufacture.

N. B. Since these calculations were produced, an account hath been laid before Parliament distinguishing the different heads of export; whereby it appears, that British produce, particularly coal, is estimated higher than is conjectured here; to agree therefore with that paper, the total decrease may be distributed as follows:

In Foreign goods and merchandize about

£. 850,000

British produce,

662,000

Ditto manufacture,

3,500,000

Total £. 5,012,000

Observations on the Evidence relating to the Russia Trade: as delivered at the Bar of the Honorable House of Commons, on the 5th of May 1774, to a Committee of the whole House, appointed to enquire into the present State of the Linen Trade of Great Britain and Ireland, by Mr. Foster. (Originally printed for the Russia Company.)

" Sir, I appear here as agent for the Russia Company. Before I call in the witnesses whom I shall beg leave to examine, I will take the liberty to acquaint the Committee what has been the occasion of my giving them this trouble.

" The Russia Company perceived, by the Report of the Committee appointed to enquire into the present state of the Linen

Linen Trade in Great Britain and Ireland, that a considerable decay in that trade was complained of, and imputed (among other causes) to the increased importation of foreign linens; and to the importation of them on too low duties. And finding that some of the witnesses, examined by the Committee, had imputed part of the evils they complained of, to the interfering of Russia linens, the Russia Company thought it incumbent on them to desire to be heard; in hopes that by indisputable evidence, they could convince the Committee that no part of the evil complained of could, with justice, be imputed to the increased importation of Russia linens, or to the importation of them on duties too low.

"I wish, Sir, to lay before the Committee a state of the trade between England and Russia; in doing this, the points which, among others, I should be most solicitous to establish, are these:

"That the linens imported from Russia are of such a quality as to be chiefly consumed by the poor:

"That the want of them could not be supplied by any of the manufactures of Britain:

"That the importation of them is not increased: And,

"That at present they pay an high duty.

"That our importation of flax is considerable.

"That the manufactures of Great Britain, exported to Russia, exceed in value the Russian manufactures imported into Britain.

"That the duties paid on the importation of the woollen manufactures of Britain in Russia, are low, in comparison of those paid in Britain, on the importation of the linen manufactures of Russia.

"That the whole of the trade between Russia and Great Britain is carried on in British shipping; and that the British merchants, resident in Russia, enjoy very valuable privileges, not granted to other European nations.

"I will now beg leave to call in our witnesses."

[Mr. Samuel Stratton was then examined on those points which related to the importation of Russia linens; and his examination having taken up a considerable time, it was not thought necessary to call Mr. William Edwards, who was prepared to have given a full and circumstantial evidence on the same points.

Mr. Nicholas Cavanaugh was examined on those points which related to the exports from Great Britain to Russia, to the exportation of flax from Russia, to the quantity of British shipping employed, and to the privileges granted by the Russian government to the British merchants resident in Russia.

His

His evidence having been clear and circumstantial; the agent thought it unnecessary to call other witnesses, who were ready to have confirmed it.]

By leave of the Committee, the Agent proceeded thus :—

“ The evidence which has been laid before the Committee, I think, amounts to this :

“ That the linens imported from Russia are chiefly used by the poor ; that the want of them could not be supplied by our home manufactures ; that the importation of them is decreased ; that the annual amount of these importations is from 100 to 140,000*l.* ; that the present duties on the importation of them, amount, in the lowest instances, to above 26 *per cent.* on the value ; in the highest to above 50 *per cent.* ; that an increase of duty would increase the price to the poor ; that our exports to Petersburg only amount to about 300,000*l.* annually ; that of this sum, the manufactures of Britain amount to 200,000*l.* the unmanufactured produce to 100,000*l.* ; that the duties paid on the importation of our woollens, in Russia, are between 17 and 18 *per cent.* on their value ; that the shipping employed by us is 170,000 tons ; that we import between 7000 and 8000 tons of flax annually ; that our merchants resident in Russia have distinguished privileges.

“ This being the state of the evidence, I understand I may be permitted to make some observations on it, and on other circumstances of our trade, in which I shall endeavour to be concise. I mean to confine myself strictly within my proper limits, the business of the Russia Company. The general subject before the Committee was amply entered into by Mr. Glover, who, through life, has been distinguished in the literary, the commercial, and the political world. I should little expect to be attended to, if, after him, I was so impertinent as to enter on the subject at large.

“ The business of the Russia Company lies within a small compass ; perhaps no argument of mine will be so strong, as the inexperience and want of ability you will perceive in me their Agent : had they had a doubtful cause, they would have used some diligence to have sought an able advocate ; they would not have trusted their affairs to my management.

“ By the evidence of Mr. Stratton it appears, that the poor\* can furnish themselves with the linen manufactures of Russia, on much cheaper terms than with any of our home manufactures ; he has not mentioned on how much cheaper terms ; but, I think, I have heard they may clothe themselves at two-

\* A part of our linen importations are also used for hammocks by the navy and merchant ships, and for tents, and many sorts of camp equipage.



thirds of the expence; and this with a linen, which, having paid to Government one third of its value at least in duty, has already been assistant in some measure even to those who wear it, by contributing to those wants of the state, which, if they were not alleviated by duties on foreign importations, must fall still heavier on the necessaries of life than they now do. Under these circumstances, if the Committee are convinced that the linens imported from Russia are serviceable to the labouring poor; if they find that, in these times of distress, they afford them a much cheaper clothing than they could procure from our own manufactures; it is then evident, that any increase of duty, or any impediment thrown in the way of our linen importations, would be an additional burthen, not on the fantastick wants of the elegant and luxurious, but on the necessities of the whole class of our laborious poor. There needs no argument to convince the Committee of the inexpediency, I am tempted to add, of the inhumanity, of such a measure—a measure not necessary, as I conceive, for the relief of those who have applied to you, Sir, for assistance.

“ The inconveniences they suffer are not imputable to us; for the decay they complain of in their trade cannot be imputed to the increase of our importations, as the most experienced of our importers has informed you, on his own knowledge \*, that the importation is decreased; and that it is so, is notorious.

“ You have heard, Sir, what the duties paid on Russia linens are; that they amount in the lowest instances to above 26, in the highest to above 50 *per cent.* on their value †; after this, the Committee will not think a decay in the linen manufactures of Great Britain and Ireland can be imputed to the increased importation of Russia linens, on too low duties. We are confident, that the wisdom of Parliament will not adopt a measure ineffectual to the purposes for which it would be designed, injurious to the labouring poor, and which in its consequences may be highly prejudicial to every manufacture of these kingdoms, the linen manufacture itself not excepted.

“ For we have shewn you, that the whole value of our exportations to Russia amounts to above 300,000*l.* annually. Mr. Cavanaugh spoke only as to the exportations to Petersburg, which he said amounted to about that sum. That the value of

\* I think the annual importation of Russia linens might be estimated at above five million yards; for the two last years, it has been about 4,100,000 yards; it has decreased about one-fifth of the whole importation.

† By value I would always be understood to mean the value really received by the manufacturing or producing countries; thus the value of Russia linen includes all charges incurred in Russia, but is exclusive of British charges; the value of British exportation includes all British charges, but no Russian ones.

British manufactures exported, exceeds considerably the value of the Russian manufactures we import; so that, the trade of manufactures only considered, the balance is in our favour. That our woollen manufactures' pay, on their importation into Russia, a duty only of between 17 and 18 *per cent.* on their value, while the duties paid on the importation of Russian manufactures into Britain, amount \* to double that proportion. Now, should we increase this high duty on our part, the soundest policy would warrant, the strictest equity would justify, the Russian government in increasing their duties on British commodities: nor would there be the same objections from internal policy as with us; for many of the articles imported from Britain into Russia, are not to supply the wants of the necessitous, but to contribute to the elegancies of the luxurious. We cannot doubt but, under these circumstances, the Russian government would increase the duties on our manufactures, and, lessening the attention they now give to the linen, their only considerable and favourite manufacture, they would, on the principles of the soundest policy, give countenance to any efforts to establish other manufactures as the rivals of ours. These ideas are not wantonly produced from the hoard of an inventive imagination. The Russian government is possessed of the truest principles of commercial policy. The sensible edict which precedes the tariff of 1767 warrants this assertion. The Russian empire is rising in arts, and has much in its power.

“ But this is not the only bad effect which might be the consequence of our endeavours to check the Russian manufactures of linen. There is a measure which the Russian government might adopt, which would affect materially, and, as I conceive, affect only the linen manufactures of Britain and Ireland. When you recollect that our importations of flax from Russia are between 7 and 8000 tons yearly, you will be aware how materially a very high duty on the exportation of this article from Russia would prejudice our linen manufactures. Should we endeavour to injure the Russian manufacture of linen, this would be an obvious, a just, and, I am sure, it would be an effectual remedy, as it would lower the price of flax in Russia, by tending to prevent the exportation of it, and raise the price on our manufacturers. Should urgent occasion, should sudden

\* In order to enable me to assert, as much as was possible from facts, rather than calculated estimates; one of our most considerable and most general importers took the value of his whole last year's importations, and the amount of the duties he paid on them; on comparing them, he found he had paid 30 *per cent.* on the original value in duties.

resentment, prompt the measure, why might not the Russian government totally prohibit the exportation of flax?

“Nor are these the only mischiefs we have to fear, should we throw any difficulties in the way of the favourite manufacture of Russia. You have been informed by one of our witnesses, who has been resident in Russia, and who speaks from an experience of thirty-two years, that the British are a favoured nation, favoured in a very peculiar manner by the grant of privileges denied to other nations; privileges of a nature peculiarly acceptable to a Briton. We almost carry with us into Russia the freedom of our own happy country; a ray of British liberty breaks through the gloom of northern despotism, and enlightens the dwellings of a Briton in Russia. Not only favoured, and materially favoured in the manner of paying our duties, the friendship of the Russian government has given us a degree of personal freedom beyond what the subjects of Russia, beyond what any other nations enjoy in Russia. The arbitrary order of an inferior military officer cannot quarter soldiers in the house of a Briton; nor exact, as he can from others, even from Russians of the first rank, pecuniary amends for not molesting him with such troublesome inmates.

“A British merchant is not amenable, in matters relating to business, to any of the inferior courts of justice, the seats of endless and uncertain litigation; his cause is heard by the college of commerce, a court that considers itself as the guardian of commercial rights.

“The subjects of Britain resident in Russia, are not confined in the disposal of their effects at their death, by the Russian laws of inheritance; but they may dispose of them, by will, in such manner as is most for the interest of their families.

“In cases of bankruptcy, and of legal arrest, very valuable privileges respecting personal freedom, are enjoyed by our countrymen in Russia.

“It is evident by these repeated instances of favour, that the Russian government wishes to be on the most friendly terms with us; but Mr. Cavanaugh, in consequence of a question from an Honorable Member of this House, has told you that the Russian government thought themselves aggrieved by the additional duties laid on linens in 1767; and surely they were not without reason for thinking so; that part of the duties particularly, which was an additional duty on all linens above 36 inches broad, fell heavily on our sheeting, which already paid a duty on a rate equal to their value, and established as lately as the year 1765. This measure, we had reason to think, was advised by a person who had himself, or whose near relations had, an interest in a manufacture of sheeting, whose

motive was to check the importation of Russia sheeting, in order to benefit this manufacture—the effect, I believe, in no respect answered his expectation; Russia sheeting continues to be imported, is still used\*, and will continue to be used, as long as it is found to be superior to every manufacture of the same kind.

“ This is a striking instance of the inefficacy of additional duties on foreign linens, in assisting home manufactures.

“ I cannot quit this subject, without digressing a little, to mention with honor the conduct of the inhabitants of that town, for whose benefit this measure was supposed to have been advised. They have had the sense to perceive what they could not do; they have had the genius to discover what they could do. Encouraged only by the grant of the importation of their raw material free of duty, by their ingenuity and persevering industry, the inhabitants of Manchester have brought their cotton manufacture to a degree of excellence beyond, I believe, their own most sanguine expectation. A very considerable, a very increasing, exportation of this beautiful manufacture to Russia, contributes to reward the genius and industry of the manufacturers. But to return to my subject.

“ The British nation has been hitherto considered as the friend of Russia: independent of the important privileges we enjoy, the peculiar civility and attention paid by the Russian court to the subjects of Britain, are alone proofs of its friendly disposition—Shall we hazard this established friendship, these important privileges? shall we hazard the benefits we receive from a considerable, an increasing (for such it is) exportation of our own manufactures, by a measure ineffectual to the purposes for which it would seem to be designed, and immediately injurious to the most valuable of our subjects, the labouring poor, of our husbandry, and our fisheries?

“ I suspect it may thought that I have forgotten the real state of the trade between Russia and England—a trade, the balance of which is very considerably in favour of Russia†. There is no one circumstance of our trade to which I more sincerely wish to engage the attention of the Committee. Other branches of commerce boast of the balance they bring home; that

\* It is still used; but the exorbitant duty now paid on it, has, in a great measure, deprived the lowest class of people of the use of it; they are now forced into the use of ravenstuck, instead of sheeting, which, though bought at a lower price than sheeting can be sold for, is neither so convenient, nor advantageous to them; so that this additional duty has, in fact, been of prejudice to the poor.

† This may be considered as the state of the trade, exclusive of the article of jewels; those of tallow and iron are considerably increased of late years. Our imports are,

that is, supposing there was the only trade carried on, of the quantity of gold and silver they would introduce into Britain. But, Sir, of gold and silver you can neither make an anchor nor a ploughshare. The instruments of agriculture, of navigation, and of arts, are produced by the mines of Siberia, not by those of Peru. The articles we bring from Russia, our hemp, our iron, our flax, are so indispensably necessary to us for every purpose of agriculture and of commerce, that, had we no export trade, it would be very expedient we should attentively cultivate the friendship of Russia on account of our import trade only. The Russian government has been for some years engaged in an expensive war; a very considerable revenue might be raised by additional duties on hemp, flax, and iron; a tax we must pay, however exorbitant it might be. The annual want of 7 or 8000 tons of flax would be felt by our linen manufactures; hemp and iron we must have; without them, our navy, our commerce, our agriculture, are at end; without them, where would be our wealth, where our naval honors? The gold, it is true, would be produced in the mines of Peru, but not for us; we obtain it, not by plunder, but by commerce; by a commerce protected, when attacked, by our naval strength. You will never, Sir, think that trade a prejudicial one, which brings home the materials, without which commerce could neither be undertaken nor protected. You will think that trade an advantageous one, which, carried on entirely in British ships, employs annually \* 170,000 tons of shipping.

“ Popular prejudices prevail against contractors. I never yet heard a whisper raised against the contractors with the Government for hemp; the navy is supplied with this useful article of our trade on terms as reasonable as any private rope-maker. We have, among the members of the Russia Company, names as distinguished even for fortune as any in the city; but their fortunes were either inherited, or acquired by that gradual in-

Hemp, 16,000 tons, at £18	-	-	-	-	-	-	£288,000
Iron, 30,000	-	10	-	-	-	-	300,000
Flax, 7,500	-	30	-	-	-	-	225,000
Linens, in value	-	-	-	-	-	-	130,000
Tallow,	-	-	-	-	-	-	90,000
Deals,	-	-	-	-	-	-	70,000
Brittles, singlase, linseed, hides, and mats,	-	-	-	-	-	-	30,000
Furs, shubarb, and other articles, about	-	-	-	-	-	-	20,000
							<hr/>
							1,153,000
Exports to Peterburgh only, about							300,000
							<hr/>

Of the exports to other ports in Russia we have no accounts.

\* The labour of seamen, and freight of ships, is always of the nature of an exported commodity. Petty's Pol. Arith.

dustry

dustry and œconomy which used to give credit to the name of Merchant; they are not fortunes acquired by the plunder of Government, by rapine, or by a mad spirit of enterprise as mischievous to society as either. While I am recollecting such members of the Russia Company, I cannot but place at their head the venerable name of Mr. Nettleton, our Governor, who has passed a long life, equally respected for his abilities and integrity, who, for many years, has found, and still finds \*, at a very advanced age, in the chair of the Russia Company, the *honestissimum domicilium senectutis*.

“ I have now laid before the Committee the circumstances of the Russia trade, useful to the community, I trust, in every branch of it; exporting annually more than 300,000 *l.* in value of our products, of which sum two-thirds at least are our manufactures, importing chiefly the most necessary raw materials. The manufactures we import do not amount to more than one eighth part of our whole importations, and those manufactures of a coarse quality. Our more considerable imports are hemp, iron, flax, tallow, timber, deals; all necessary for the uses even of the lowest class of people, not one offering at the shrine of luxury. The severity of a Spartan government would have given countenance to a commerce like this.

“ I have said nothing relating to the subject of drawbacks on exportation, as I am unwilling to take up the time of the Committee about a matter which, as a part of the general subject, was considered by Mr. Glover. One of our witnesses, Mr. Stratton, has informed you, that, since the taking away the drawback on Russia sail-cloth, considerable quantities of it go from Holland to our Colonies; that we do not send more than one quarter of the number of pieces we used to export, the remaining three quarters are now an aid to the trade and navigation of our neighbours the Dutch †. Such a fact is of more weight than any argument!

“ It is time that I conclude—

“ If, Sir, the Committee are convinced that the suppositions of an increased importation, and of an importation on too low duties, are groundless—that our importations of linen are highly serviceable to the poor—if they think that any alterations in the state of the duties on Russia linens, might have a tendency to check a very beneficial and increasing exportation of our own manufactures; and an importation of raw mate-

\* The Russia Company have to regret, that any circumstance has prevented Mr. Nettleton from undertaking to appear in their behalf at the bar of the House.

† The importance of being the carriers for other nations, can never be too much attended to; the value of a seaman must be rated high in the political arithmetic of Great Britain.

rials advantageous to our British and Irish manufactures of linen, and essentially necessary to our navy and our commerce, we are confident we can have nothing to fear.

April 21. The House sat half an hour without any business before them; at length Lord North came, and presented to the Speaker several Extracts of Letters, &c. and the third Boston Bill, "For the impartial Administration of Justice in the Cases of Persons questioned for any Acts done by them in the Execution of the Law, or for the Suppression of Riots and Tumults, in the Province of Massachusetts Bay, in New England."

The Bill was read a first time; upon which,

Mr. SAWBRIDGE arose, saying, Sir, I am astonished at Mr. Sawbridge, the noble Lord's proceeding, in bringing in a Bill of the utmost consequence, at a time when there is so thin a House. [There were only forty-one Members.] It is an improper time; it is taking us by surprise; it is cowardly. But, Sir, I should think myself highly unworthy a seat in this Assembly, was I to suffer so pernicious a Bill to pass in any stage, without giving my hearty negative to it. I will oppose it every time I have an opportunity, although I do not imagine I shall be much attended to. This is a Bill, Sir, of such a ridiculous and cruel nature, that I really am astonished how any person could think of making it. Does the noble Lord think that a man who chances to see a person murdered in America, will come over here as an evidence against the aggressor? Does the noble Lord think that any American would hazard a trial here, or that he would expect to have justice done him, if he was to come over? Then, Sir, a person would be brought over here to be tried, and you would have evidences only on one side; but I imagine if those evidences should not be sufficient, evidence here; who never saw the transaction, would be procured, and the criminal acquitted. I plainly foresee the dangerous consequences of this Bill; it is meant to enslave America; and the same Minister who means to enslave them, would, if he had an opportunity, enslave England; it is his aim, and what he wishes to do; but I sincerely hope the Americans will not admit of the execution of these destructive Bills, but nobly refuse them; if they do not, they are the most abject slaves that ever the earth produced, and nothing that the Minister can do is base enough for them.

LORD NORTH—Sir, I think myself called upon to vindicate my conduct for bringing in the Bill in so thin a House. Sir, was I to know there would but few Members attend? I did as I promised I would do, which was, to bring in the Bill as soon as it was ready; it was but just finished when I brought it,

it, and I little expected to have any debate upon it in this stage: I thought, Sir, the debate would be upon the second reading; it usually is so; and I sincerely hope when this Bill is read a second time, that we shall have a very full House, and let every gentleman give his opinion upon it. I wish to have it thoroughly discussed, and if it should be found to be a bad Bill, in God's name throw it out; but if found otherwise, you cannot be too unanimous in assenting to it; the more unanimity there is, the stronger effect it will have. As to its being meant to enslave America, I deny it, I have no such intention; it is an unpleasing, but necessary step to bring them to a sense of their duty; that assertion has much the same truth in it as what has been before said, that the Americans had seen their error, and were willing to satisfy the India Company. Sir, there is a ship arrived, I think her name is the *Fortune*, Capt. Goreham; she arrived in Boston harbour the latter end of February, or beginning of March 1774, I cannot say which; she was loaded with tea; the inhabitants came immediately and unloaded her, and emptied the contents of her cargo into the sea. Is this, Sir, seeing their error? Is this, Sir, reforming? Is this making restitution to the India Company? Surely no gentleman will, after this, urge any thing in their defence. The Honorable Gentleman has said this Bill is a pernicious one; I trust, when gentlemen come to consider it, they will see it is quite otherwise.

Sir Thomas  
Frankland.

SIR THOMAS FRANKLAND arose only to acquaint the House, that he, yesterday afternoon, after the House broke up, was shewn a letter which a friend of his received from Boston, dated March 1774, which mentioned the tea being destroyed, which was the cargo of Capt. Goreham, as the noble Lord had mentioned.

Mr. Byng.

Mr. BYNG—Sir, I cannot help rising to oppose this Bill. I agree with my worthy friend, that it is a most pernicious Bill, and, I fear, made with no good intention. I really am surprised at the noble Lord, who said, his wish was to make their laws in America as near as possible to our own. Is this Bill any thing like it? No, it is quite the reverse; dragging people from one country to another to give evidence, is such a proposition I never heard before, nor could have thought of; but, Sir, every person must know, and will allow, that the noble Lord finds his other two Bills are so defective and dangerous, that no person will venture to put them into execution; he is therefore obliged to have recourse to a third, to indemnify such persons as shall be concerned in executing his destructive project. I shall oppose this Bill every time I have an opportunity, and I trust every lover of his country will do  
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the same. He further said, that whatever professions of candour were thrown out, he should trust to them with great caution; that for his part these attacks made abroad, seemed to be intended to prepare men's minds for measures of a similar nature to be enforced at home; and that the conduct and complexion of publick measures in general wore the appearance of a systematick design of enslaving the people, as well in Great Britain as the Colonies.

LORD BEAUCHAMP—I really am surpris'd, Sir, to hear an Honorable Gentleman say, that every person must know that the two former Bills are defective. Sir, I will venture to say the fact is otherwise; every person must allow they are necessary for the preservation of peace, and restoring the Americans to a sense of their duty. Does the Honorable Gentleman think the soldiery at Boston will act without they are indemnified? No; they could not. No person would execute the laws half so well, was this Bill not to pass. I think it a necessary Bill; it will make their trials by juries like ours, which are so much approved of; and I shall give my hearty affirmative to it.

Mr. SAWBRIDGE—Sir, I rise to explain to the noble Lord why I think it a pernicious Bill. I am certain, that however willing I might be to bring an offender to justice, was I to see a murder committed in London, my love of justice might induce me to go to any part of the country to appear as an evidence; but I assure the noble Lord I would not go over to America on any account, nor for any mandate that he could issue; and I believe that the noble Lord will allow, that not any sum would induce him to go over now; therefore we have the same right to imagine, that people in America will not come over here. I make no doubt but Government will take care to bring over evidence in support of their side, but they will not trouble themselves with evidence on the contrary; therefore all your trials will be *ex parte*, and nothing but a mockery of justice. I do not mention this as an advocate for America, but mention it as an Englishman.

The question was then put, and carried, that this Bill be read a second time on the 25th instant.

April 22. Mr. FULLER said, he did not rise to make any debate, for he was not enabled as yet to form any opinion whether the Bill before the House was a proper Bill, or not; as copies of the charters which had been ordered before the House were not yet laid, he would venture to say, that no man knew the constitution of that government; it was therefore

impossible for him to say, in what manner he would correct and amend it.

Mr. George  
Saville.

SIR GEORGE SAVILLE said, he had not troubled the House before on the occasion, but he could not help observing, that the measure now before the House was a very doubtful and dangerous one; doubtful as to the matter and propriety of regulation, and dangerous as to its consequence; that charters by Government were sacred things, and are only to be taken away by a due course of law, either as a punishment for an offence, or for a breach of the contract, and that can only be by evidence of the facts; nor could he conceive that in either of those cases there could be any such thing as proceeding without a fair hearing of both parties. This measure before us seems to be a most extraordinary exertion of legislative power. Let us suppose a lease granted to a man, wherein was a covenant, the breach of which would subject him to a forfeiture of his lease—would not a court of justice require evidence of the fact? Why, then, will you proceed different from the line which is always observed in courts of justice? You are now going to alter the charter, because it is convenient. In what manner does the House mean to take away this charter, when in fact they refuse to hear the parties, or to go through a legal course of evidence of the facts? Chartered rights have, at all times, when attempted to be altered, or taken away, occasioned much bloodshed and strife; and whatever persons in this House may have advanced, that they do not proceed upon this business but with trembling hands, I do also assure them that I have shewn my fears upon this occasion, for I have run away from every question, except one, to which I gave my negative. I do not like to be present at a business which I think inconsistent with the dignity and justice of this House; I tremble when I am, for fear of the consequences; and I think it a little extraordinary, that Mr. Bollen should be admitted to be heard as an American agent in the House of Lords, when in the House of Commons he was refused. I believe it is true, that the facts set forth in his petition to this House, were different from those which he presented to the House of Lords; in one declaring himself an inhabitant of Boston, and in the other omitting it. I cannot conceive it possible to proceed on this Bill upon the small ground of evidence which you have had.

Mr. Ellis.

Mr. W. ELLIS—I must rise, Sir, with great confidence, when I differ from the Honorable Gentleman who spoke last, whose abilities are so eminently great; but I think, Sir, that chartered rights are by no means those sacred things which  
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never can or ought to be altered; they are vested in the Crown, as a prerogative, for the good of the people at large; if the supreme Legislature find that those charters so granted, are both unfit and inconvenient for the publick utility, they have a right to make them fit and convenient; wherever private property is concerned, the Legislature will not take it away without making a full recompence; but wherever the regulation of publick matter is the object, they have a right to correct, controul, or take it away, as may best suit the publick welfare. The Crown may sometimes grant improper powers with regard to governments that are to be established—will it not be highly proper and necessary that the Legislature, seeing in what manner the Crown has been ill-advised, should take it into their consideration, and alter it as far as necessary? It is the Legislature's duty to correct the errors that have been established in the infancy of that constitution, and regulate them for the publick welfare. Is a charter, not consistent with the publick good, to be continued? The Honorable Gentleman says, much bloodshed has been occasioned by taking away or altering of chartered rights; I grant it; but it has always been where encroachments have been made by improper parties, and the attack has been carried on by improper powers. He also says, this form of government in America ought not to be altered without hearing the parties; the papers on your table, surely, are sufficient evidence what they have to say in their defence;—look only into the letter dated the 19th of November, 1773, wherein the Governor applied to the Council for advice, and they neglected giving it to him; and also wherein a petition was presented to the Council by certain persons who applied for protection to their property during these disturbances; the Council, without giving any answer, adjourned for ten days, and the Governor was not able to do any thing himself without their opinion. Look again, Sir, into the resolution which the Council came to when they met again, stating the total insufficiency of their power. This, surely, Sir, is an evidence competent to ground this Bill upon. We have now got no farther than just to alter these two parts, as stated by themselves. Surely, Sir, that form of government which will not protect your property, ought to be altered in such a manner as it may be able to do it.

GENERAL CONWAY—What I intend to say will not delay the House long. [The House being rather noisy, the General said, I beg leave once more to say a short word.] I am very sure what I intend to say will little deserve the attention of the House, but the subject is of that importance, that it requires it. The consequence of this Bill will be very im-

General  
Conway.

portant and dangerous. Parliament cannot break into a right without hearing the parties. The question then is simply this: Have they been heard? What! because the papers say a murder has been committed, does it follow they have proved it? *Audi alteram partem* is a maxim I have long adhered to; but it is something so inconsistent with Parliamentary proceedings not to do it, that I am astonished at it. The Council are blamed, because they did not give that advice to the Governor which he wanted. I think, Sir, the Governor might have acted alone, without their assistance. Gentlemen will consider, that this is not only the charter of Boston, or of any particular part, but the charter of ALL America. Are the Americans not to be heard?—Do they not choose to consent and agree about appointing an agent? I think there is no harm, upon this occasion, in stretching a point; and I would rather hear Mr. Bolla as an agent of America (though he is a little irregular in his appointment) sooner than leave it to be said, that this Bill passed without it. The House being vociferous, he said, I am afraid I tire the House with my weak voice; if that is the case, I will not proceed, but I do think, and it is my sincere opinion, that we are the aggressors and innovators, and not the Colonies. We have irritated and forced laws upon them for these six or seven years last past. We have enacted such a variety of laws, with these new taxes, together with a refusal to repeal the trifling duty on tea; all these things have served no other purpose but to distress and perplex, I think the Americans have done no more than every subject would do in an arbitrary state, where laws are imposed against their will. In my conscience, I think, taxation and legislation are in this case inconsistent. Have you not a legislative right over Ireland? And yet no one will dare to say we have a right to tax. These Acts, respecting America, will involve this country and its Ministers in misfortunes, and I wish I may not add, in ruin.

Lord North. LORD NORTH—I do not consider this matter of regulation to be taking away their charters in such manner as is represented; it is a regulation of Government to assist the Crown; it appears to me not to be a matter of political expediency, but of necessity. If it does not stand upon that ground, it stands on nothing. The account which has just now been read to you is an authentick paper, transmitted to Government here, shewing that the Council refused, in every case, their assistance and advice; and will this country sit still, when they see the Colony proceeding against your own subjects, tarring and feathering your servants; denying your laws and authority; refusing every direction and advice which you send? Are we, Sir, see-  
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ing all this, to be silent, and give the Governor no support? Gentlemen say, let the Colony come to your bar and be heard in their defence; though it is not likely that they will come, when they deny your authority in every instance. Can we remain in this situation long? We must effectually take some measure to correct and amend the defects of that government. I have heard so many different opinions in regard to our conduct in America, I hardly know how to answer them. The Honorable Gentleman, who spoke last, formerly blamed the tame and insipid conduct of Government; now he condemns this measure as harsh and severe. The Americans have tarred and feathered your subjects, plundered your merchants, burnt your ships, denied all obedience to your laws and authority; yet so clement, and so long forbearing has our conduct been, that it is incumbent on us now to take a different course. Whatever may be the consequence, we must risk something; if we do not, ALL IS OVER. The measure now proposed, is nothing more than taking the election of Councillors out of the hands of those people, who are continually acting in defiance and resistance of your laws. It has also been said by gentlemen—send for the Americans to your bar—give them redress a twelvemonth hence. Surely, Sir, this cannot be the language that is to give effectual relief to America; it is not, I say again, political convenience, it is political necessity that urges this measure; if this is not the proper method, shew me any other which is preferable, and I will postpone it.

SIR GEORGE YONGE—It remains to me, Sir, that it Sir George Yonge. is unanswered and unanswerable, what has been advanced by the Honorable Gentleman who spoke second, that the parties should be heard, though even at a twelvemonth hence. Nothing, Sir, but fatal necessity can countenance this measure. No body of men ought to be proceeded against without being heard, much less ought the regulation of a whole government to take place, without the parties attending in their defence against such alterations.

GOVERNOR JOHNSTONE—I see, Sir, a great disposi- Governor Johnstone. tion in this House to proceed in this business without knowing any thing of the constitution of America; several inconveniences will arise if the Sheriff is to be appointed by the Governor; the jury will of course be biased by some influence or other; special juries will be most liable to this. [Here the Governor gave an account of the different riots which had happened in England, and compared them with what he called the false account of those from America.] I impute, says he, all the misfortunes which have happened in America, to the taking away the power of the Governor. No man of common sense,

fenſe, can apprehend that the Governor would ever have gone for two or three days into the country during theſe diſturbances, if he had had the command of the military power. The natural ſpirit of man would be fired, in ſuch a manner, as to actuate himſelf to ſhew reſiſtance ; but in this Governor no power was lodged. I diſapprove much of the meaſure which is before us, and I cannot think but its conſequences will be prejudicial.

Mr. C.  
Jenkinſon.

Mr. C. JENKINSON—I riſe, Sir, only to obſerve, that if the Colony has not that power within itſelf to maintain its own peace and order, the Legiſlature ſhould, and ought to have. Let me aſk, Sir, whether the Colony took any ſtep, in any ſhape, to quell the riots and diſturbances ? No, they took none. Let me aſk again, whether all the checks and controul that are neceſſary, are not put into the commiſſion of the governments ? Much has been ſaid about hearing the parties, and taking away this chartered right ; I am of opinion, that where the right is a high political regulation, you are not in that inſtance bound to hear them ; but the hearing of parties is neceſſary where private property is concerned. It is not only in the late proceedings, but in all former, that they have denied your authority over them ; they have reſuſed protection to his Majeſty's ſubjects, and in every inſtance diſobeyed the laws of this country ; either let this country forſake its trade with America, or let us give that due protection to it which ſafety requires.

Mr. Harris.

Mr. HARRIS—I cannot ſee, Sir, any reaſon for ſo wide a ſeparation between America and England as other gentlemen are apt to think there ought to be ; that country, Sir, was hatched from this ; and I hope we ſhall always keep it under the ſhadow of our wings. It has been ſaid, no representation, no taxation. This was the ſyſtem formerly adopted, but I do not find it authoriſed in any book of jurisprudence, nor do I deem it to be a doctrine either reaſonable or conſtitutional. I inſiſt upon it, they are bound to obey both the Crown and Parliament. The laſt twelve years of our proceedings have been a ſcene of lenity and inactivity. Let us proceed and mend our method, or elſe I ſhall believe, as an Honorable Gentleman has obſerved, that we are the aggreſſors.

Sir Edward  
Aſtley.

SIR EDWARD ASTLEY—If we have had a twelve years lenity and inactivity, I hope we ſhall not now proceed to have a twelve years cruelty and oppreſſion. By the reſolution and firmneſs which I perceive in the Houſe, it ſeems to indicate a perſeverance in the meaſure now propoſed, which I deem to be a harſh one, and unworthy of a Britiſh Legiſlature.

Mr.

Mr. WARD found fault with the charter being left too much, as to the execution of its powers, in the people, and he could not think the Legislature was doing any thing which it had not a right to do, as he had looked upon all charters to be granted with a particular clause in it, expressing that it should not be taken away but by the Parliament.

GOVERNOR POWNALL—Sir, the few words that I shall trouble the House with on this occasion, will be directed simply to facts, and to the rectifying some matters of fact respecting the constitution of the province of Massachusetts Bay, which some gentlemen, on both sides the House, seem to me to have mistaken, and to have mistated.

Governor  
Pownall.

As to opinions, I shall never more trouble the House with mine on the subject. While the affairs of America remained on that ground, that opinions might operate on measures of policy, I never withheld mine, poor as they may have been—I always avowed them openly and publicly—In this House I delivered my sentiments explicitly and directly. It was my duty so to do—I considered it as of perfect obligation; and I hope I have fulfilled that duty. I could not but think it a matter of imperfect obligation, even to obtrude my sentiments, and the best information that I could give, in other places, out of this House. I hope I have not there exceeded my duty: I have expressed the same sentiments at all times, and have given the same opinion in what I have written to America—All tended to one point; the pointing out the grounds of reconciliation and peace.

The case at present ceases to be matter of opinion—it is come to action. The measure which you are pursuing will be resisted, not by force, or the effect of arms, as was said by an Honorable Gentleman on the late occasion, but by a regular united system of resistance.

I told this House (it is now four years past) that the people of America would resist the tax which lay then upon them—that they would not oppose power to your power, but that they would become impracticable. Have they not been so from that time to this very hour? I tell you now, that they will resist the measures now pursued, in a more vigorous way—You will find them prepared for such resistance, not by arms, but by a system of measures. The Committees of Correspondence in the different provinces are in constant communication—they do not trust the conveyance of the Post-office—they have set up a Constitutional Courier, which will soon grow up to the superseding of your Post-office. As soon as intelligence of these affairs reach them, they will judge it necessary to communicate with each other. It will be found inconvenient

convenient and ineffectual so to do by letters—they must confer. They will hold a conference—and to what these committees, thus met in congress, will grow up, I will not say.

On the other point, should matters ever come to arms, you will hear of other officers than those appointed by your Governors. When matters once come to that, it will be, as it was in the late civil wars of this country, of little consequence to dispute who were the aggressors—that will be merely matter of opinion. It is of more consequence at this moment so to act—to take such measures—that no such misfortune may come into event.

I hope the House will excuse my trespassing on their patience—it is the last time that I shall speak on this subject. If, however, the knowledge which my situation must necessarily have supplied me with, can enable me to be of any use in matter of information, on any points which come before you, I shall constantly attend in my place, and in my place be ready to answer any questions on such matter, as any gentleman may wish to receive information upon, as far as I may be able to inform him; and in this light I beg leave to state, that although by the charter of the province of Massachusetts Bay the Governor is obliged to take with him, not simply the advice, but the consent of the Council, in the nomination of judges and other civil officers—yet it is from the power of the Governor's commission held under the broad seal, that all the commissions in the province are derived; and cease with the determination of that commission. All those officers, except the Attorney General, even the Sheriffs, which an Honorable Gentleman had conceived not to be so, and which the present proposed Bill directs to be appointed and removed by the Governor, are according to the powers and privileges of the present charter, appointed by the Governor in council. The difference is, that in those governments which are established by the King's patent commissions, the whole act of appointment is in the Governor—which act, indeed, he is by his instructions directed to do in the Act. He is the sole efficient: he may advise with the Council, but he is not bound to take their consent—he is not incompetent to the act, without their consent. His commission gives him full power to act—if he acts without the advice of his Council, he does indeed break through his instructions, and may incur his Majesty's displeasure; but yet the appointment is good to all intents and purposes. The first is the act of legal power derived from the commission; the second, is a matter prudential, with which the mode of the act is properly and wisely accompanied.



ment and grief, proceedings adopted against them, which, in violation of the first principles of justice, and of the laws of the land, inflict the severest punishments, without hearing the accused. Upon the same principle of injustice, a Bill is now brought in, which, under the profession of better regulating the government of the Massachusetts Bay, is calculated to deprive a whole province, without any form of trial, of its chartered rights, solemnly secured to it by mutual compact between the Crown and the people. The Petitioners are well informed, that a charter so granted, was never before altered, or resumed, but upon a full and fair hearing; that therefore the present proceeding is totally unconstitutional, and sets an example which renders every charter in Great Britain and America utterly insecure. The appointment and removal of the Judges at the pleasure of a Governor, with salaries payable by the Crown, puts the property, liberty, and life of the subject, depending upon judicial integrity, in his power. The Petitioners perceive a system of judicial tyranny deliberately at this day imposed upon them, which, from the bitter experience of its intolerable injuries, has been abolished in this country: of the same unexampled and alarming nature is the Bill, which, under the title of a more impartial Administration of Justice in the Province of Massachusetts Bay, empowers the Governor to withdraw offenders from justice in the said province, holding out to the soldiery an exemption from legal prosecution for murder, and, in effect, subjecting that colony to military execution: the Petitioners entreat the House to consider what must be the consequence of sending troops, not really under the controul of the civil power, and unamenable to the law, among a people whom they have been industriously taught, by the incendiary arts of wicked men, to regard as deserving every species of insult and abuse; the insults and injuries of a lawless soldiery are such as no free people can long endure; and the Petitioners apprehend, in the consequences of this Bill, the horrid outrages of military oppression, followed by the desolation of civil commotions; the dispensing power which this Bill intends to give to the Governor, advanced as he is already above the law, and not liable to any impeachment from the people he may oppress, must constitute him an absolute tyrant; that the Petitioners would be utterly unworthy of the English ancestry which is their claim and pride, if they did not feel a virtuous indignation at the reproach of disaffection and rebellion, with which they have been cruelly aspersed; they can with confidence say, no imputation was ever less deserved; they appeal to the experience of a century, in which the glory, the honor, the prosperity

impartial trial to be secured, which I think is already done in the Colonies without meddling with the appeal for murder.

Mr. SKYNNER.

Mr. SKYNNER—Sir, I only rise to explain, that the appeal for murder may be reduced to a civil action; that there also lies an appeal in robbery and rape; and if the woman who had been injured, when the man was under the gallows to be hanged, should marry him, he would, by the ancient law be saved, because all her civil right would be vested in her husband by that act, and therefore compensated for as such; by that act she vests those civil rights, which he had deprived her of, in him as her husband.

Mr. WALLACE withdrew the clause for the appeal for murder.

Mr. R. FULLER.

Mr. R. FULLER—Sir, I am the more convinced by what I have heard to-day, that the whole law relative to the appeal for murder, ought to be repealed. I will therefore give notice, on some future day, when I shall make the motion.

Mr. DUNNING.

Mr. DUNNING desired to know, whether his Learned Friend (Mr. Wallace) had made any provision against a faulty indictment.

Mr. WALLACE.

Mr. WALLACE said, he had not, as he did not think it necessary; that if the prisoner returned, he might there be indicted again.

Mr. DUNNING.

Mr. DUNNING said, so then it is intended that the prisoner may go over again if he chuses.

Mr. WALLACE then brought up a clause for continuing that Act for three years, to commence from the end of June next, and to the end of the next session of Parliament after the three years.

The Bill was then ordered to be engrossed.

May 2. Sir GEORGE SAVILLE moved for "Leave to bring up a petition from several natives of America, complaining against the two Bills relative to Massachusetts Bay, alledging, that the destroying of the charter rights, without hearing the parties, was a dangerous system of judicial tyranny." The petition was brought up, and ordered to lie on the table; after which the Bill for regulating the Civil Government of the Province of Massachusetts Bay was moved to be read a third time.

*The following is a Copy of the Petition:*

"THAT the Petitioners are again constrained to complain to the House of two Bills, which, if carried into execution, will be fatal to the rights, liberties, and peace of all America; and that the Petitioners have already seen, with equal astonishment

totally enslaved, or compelled into a contest the most shocking and unnatural with a Parent State, which has ever been the object of their veneration and their love; they intreat the House to consider that the restraints which examples of such severity and injustice interpose, are ever attended with most dangerous hatred. In a distress of mind which cannot be described, the Petitioners conjure the House not to convert that zeal and affection which have hitherto united every American hand and heart in the interests of England, into passions the most painful and pernicious; most earnestly they beseech the House, not to attempt reducing them to a state of slavery, which the English principles of liberty they inherit from their Mother Country will render worse than death; and therefore praying the House will not, by passing these Bills, overwhelm them with affliction, and reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair."

Mr. DUNNING—There seems to me to be a system of ty-<sup>Mr. Dun-</sup>ranny adopted throughout the whole of the three Bills which<sup>ning.</sup> have been brought into this House, one of which is passed, and the other two are now under consideration. While the first proposition stood single, I mean the Boston Port Bill, I did not think it of sufficient magnitude to oppose it, till it was followed by these two others. It now appears to me that the inhabitants of Boston are much in the same condition as prisoners surrendering at discretion, as it is in the power of the Minister to allow or disallow the restoration of its port and trade. [He then gave a long history to the House of the manner in which the Bills had been moved for and brought in; he animadverted to the contents of the three Bills, and commented on the preamble of the Bill before the House.] I have not, said he, heard of, nor do I see any overt act or reason stated in the preamble of this Bill, so as to authorise the severe punishments which it enacts; but we are now, I find, in possession of the whole of that fatal secret, which was intended as a corrective for all the disturbances in America; but it does not appear to be either peace or the olive-branch—it is war, severe revenge, and hatred against our own subjects. We are now come to that fatal dilemma, resist, and we will cut your throats; submit, and we will tax you—such is the reward of obedience. There appears to me nothing of a system or plan throughout the whole, that have ever been adopted or intended, because the Bills have been so altered, in the Committee, that there is scarce a word remaining of the original plan, if there had been any; the preamble of the Bill now before us seems to have a presumption of open resistance, of which no proof has as yet been had, or appeared at your bar, so as to countenance such an assertion;

affertion; if, indeed, that military guard, which was appointed by the town, had been employed in the manner as the preamble mentions, it might then have been deemed an open resistance, but nothing of that kind happened; the whole resistance that was made was by a few of the mob urged on by the impetuosity of riot and disturbance. Had any thing appeared that bore the least similitude to treason or rebellion, my Honorable and Learned Friends would have told us that it was treason, and I will give them credit for their willingness upon such an occasion; but if there was treason, there were traitors, and they would have been known and punished; and if not known, they would at least have been enquired after; but as no enquiry has yet been set on foot, I will be bold to say, there was neither treason nor traitors. We seem to be in a strange condition, not knowing whom we have to deal with, nor in what manner to act. If gentlemen will look into the charter, it will be seen that the Governor complained without cause of the want of power; it was the ignorance of the Governor; he had power, but did not know it; and I think that the gentlemen who had the planning of these Boston Bills, have made alterations in the government of Massachusetts Bay, without the previous ceremony of knowing the old one. There must be, and certainly is, a complete legislative power vested in the Assembly of the province, to have given this power to the Governor, had the charter been deficient, I mean for the preservation of peace and good order. [He spoke a long time to prove that the constitution of Massachusetts Bay was in no manner defective, but that the defect was owing to some unknown cause; and, says he, to what, I profess I do not know.] When I talk of the Minister, I mean to speak with all due respect to the Noble Lord, though I do not consider him as the immediate actor of all this. I know not the age, the person, or the sex, but that I may not be wrong, I will use the language of Acts of Parliament, which I imagine will comprehend, and will say, he, she, or they; to that person or persons alone do I mean to address myself. Let me ask, says he, whether these mischiefs arising from the charter are peculiar to Massachusetts Bay? Are there not deficiencies in others? yet, it is said, an alteration is necessary to make the charter conformable to the Royal Government. Now do you know that when you have altered it, it will not be dissimilar to many of the others, when the ignorance of the government of one province appears to me to be as great in those who are to alter it, as in the others. I find great fault, Sir, that the whole of this arrangement is to be under the direction of the Crown; and that the whole civil and military power of that country is to be totally at the disposal

posal of the Ministers of this. I really think the motto of this Bill should have been *Tua Caesar atas*. He then went through the different clauses of the Bill, objecting principally against the prisoners being brought over here, as contained in the last Bill; and that difficulties would arise which would convince gentlemen who had a concern in the management of these affairs, that what they had done had tended to disunite the affections of the American subjects from this country; and, instead of promoting peace, order, and obedience, would produce nothing but clamour, discontent, and rebellion.

SIR WILLIAM MEREDITH said, that if necessity gave a Sir William Meredith. right to tax America, the state of our finances at the close of the last war fully justified the Stamp Act. That he acknowledged the supremacy of Great Britain over America; but that the Legislature of a free country must not, in taxation, or any other act of power, deprive the subject of his right to freedom in person and property. The security an Englishman has in property consists in this; that no tax can be imposed upon him but by the very Members of Parliament who pay the tax themselves, equally with all those on whom they impose it; that no man had any thing he could call his own, if another could take his property, and use it, either for his advantage, or in order to prevent the diminution of his own fortune; but that such taxes only might be raised as were consequential to regulations of trade—such were port duties. That a tax similar to that upon tea was imposed by the 15th of Charles II. since that time upon molasses, and other articles, which the Americans had acquiesced in. That he (Sir William) never approved the tax upon tea; had opposed it, as he would always oppose the taxation of America. But now, that the Americans had not only resisted the Act of Parliament, but laid violent hands on the merchants property, it was high time to regulate the course of justice, so that our merchants might trade thither with security. That the present Regulation Bills went no further. That they established the trial by jury in America the same as in England; whereas the juries were now appointed according to the mere will and pleasure of the Select Men, some of whom had been forward in committing those excesses that occasioned the present uneasinesses. That the Council was now appointed by the Assembly, and could controul every act of the Governor; the execution therefore of every law enacted by the British Parliament, was at their option; but that all executive power must be subservient to the legislative, otherwise the Legislature itself would be a mere cypher. We must therefore either relinquish at once the right of enacting laws, or take the execution of them out of the hands of those that have denied our authority

to make them. That we had better break at once all connections with America, than encourage our merchants to trade thither without the full protection of the laws of their country, both in securing their effects, and in obtaining redress for such injuries as they may sustain.

Mr. STANLEY.—These Bills certainly affect the interior policy of America, and are intended for the better regulation of its internal government. Whatever may be the opinion of that propriety of regulation with the Americans, I know not; but their submission to the laws of some country is necessary, as I cannot conceive the independence of an American colony to exist, whilst the balance of power remains in Europe, supported and protected by armies and navies. These people must resort to some State, and it must be to a Protestant one; and were they to unite themselves with any other State than this, they would meet with a yoke and burden which they would not wish to bear. It is said by some, that this is driving them to a state of slavery; by others, that this proceeding will be ineffectual. As to the latter, if we do not go far enough, we are certainly on the right side; but I cannot sit still, and see with indifference the authority of this country submitting to every indignity they shall offer us. There are but two ways of governing mankind, by Force, or by Consent. Mankind are to be governed by legal power, acting by prescribed rules of law and justice; and a measure established on this doctrine, deserves the concurrence of the House. [Here he gave a long account of the rise of the American Government, and shewed, that an inattention to it, in its infancy, had induced the Americans so to think of themselves, as to throw the Government into a wild democracy; that it was not till after the Restoration that any degree of attention was paid them: He then read an extract from some old papers, shewing that the Americans had, so long ago as King William's time, refused obedience to the prerogative in many instances.] America, says he, is not now to be governed as it might be a hundred years ago; and how is it possible that the Council should, in any shape, have power, when it appears, that if any person, of moderate passions towards the degree of respect or authority to this country, is chosen of the Council, and is inclined to assist the Governor, he has always soon after been displaced? Let me ask gentlemen, if the property of the subjects of this country had been injured in France, would they have thought it a prudent conduct to have sat still and done nothing? I had much rather that this dispute had passed nine years ago, but I would rather meet the attack now than nine years hence; and I should blame myself much if, by any vote

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of mine, I should separate so valuable a province from this country.

HON. T. TOWNSHEND—The importance of this subject, Mr. T. and the melancholy consequences which are likely to ensue, <sup>Townshend</sup> deserve the attention of this House. I am not in a hurry to adopt the opinion of Administration, but I should be the lowest wretch upon earth if I suffered private opinion to be smothered. I was determined to give support to the most plausible method that was proposed, and I will say, as to this method, *Si quid novissi rectius istius, candidus imperti, si non, his utere mecum*. I am much averse to the meddling with charters, but when I see the inconveniences that arise from the town-meetings, I don't think myself unreasonable in wishing to adopt an amendment. I think the juries are properly altered, according to the constitution of this country, nor have I any objection to men being brought over to England to be tried, if it is impossible to find men of cool disposition and proper temper to try them in that country; and if I see this Bill left to the execution of the abilities of General Gage, I fear not the success of it. I remember, Sir, that men who were the most violent in opposition to the Stamp Act, at the time it was agitating, afterwards, when they found it was likely to pass, were applying for Stamp-Masters places. I wished much, Sir, to have coupled this measure with another; I mean the repeal of the tea tax, which we might have done without shewing the least timidity, but shall content myself with giving my affirmative to the present Bill before you.

COL. BARRE—The question now before us is, whether <sup>Col. Barre,</sup> we will chuse to bring over the affections of all our Colonies by lenient measures, or to wage war with them? I shall content myself with stating—[Here he gave a long history in what manner Mr. Grenville, as an able financier, wished to search for means to liberate this country from its load of debts] that when the Stamp Act was repealed, it produced quiet and ease: Was it then in the contemplation of any sober, honest mind, that any other tax would be laid on for at least a century? He blamed the late Mr. C. Townshend, with all his eloquence, for loading America with a tax; nor was he, said he, sufficiently cautious in choosing proper Commissioners for executing his trust; it was this which disgusted the inhabitants of Boston, and there has been nothing but riots ever since. It is the duty of the governing state to correct errors and wrong opinions. [Here he read several extracts of Mr. Dickinson's (of Philadelphia) book, entitled, Farmers Letters.] You sent over troops, said he, in 1768, and in 1770 you were obliged to recall them. The people were fired at by a lawless soldiery, and seven or eight innocent persons were killed. They were carried about

the town as victims of your revenge, to incite the compassion of the friends and relations of the deceased, and next morning you were forced to order the troops out of town. He condemned much the behaviour of Governor Hutchinson, as an accomplice in the present disturbances, and commended much the behaviour of Governor Tryon, who, knowing that he could only land the tea at the muzzle of his guns, prudently sent it back to England. All other Colonies, he said, had behaved with nearly the same degree of resistance, and yet you point all your revenge at Boston alone; but I think you will very soon have the rest of the Colonies on your back. You have blocked up the port of Boston; I supported you in that, and I think I have no great guilt on that head, as I thought it was a measure adopted to produce a compromise for the damage the East India Company had sustained. You propose, by this Bill, to make the Council of Boston nearly similar to those of the other Royal Governments; have not the others behaved in as bad a manner as Boston? And it is my opinion, that the office of Council, being chosen by the Crown, will become so odious, that you will not get a respectable man that dares to accept of it, unless you have the military officers for the Council, whom I think, in my conscience, will behave well. Let me ask again, what security the rest of the Colonies will have, that upon the least pretence of disobedience, you will not take away the Assembly from the next of them that is refractory. [Here he blamed the House very much for not receiving the petition of Mr. Bollen, who, he said, had corresponded with the New Council, and had been allowed and received at the public offices as Agent for the Colonies.] Why, says he, will you pretend to alter the charter of that constitution, of which you know not its present form of government; for, he said, he had observed that the late Governor of Boston (Governor Pownall) had been, during the different stages in which the Bill had been debated, going from side to side of the House, to give information about the government and its laws, many of which he remembered; some few the Governor had forgot. In France, Sir, it is a custom, said he, to judge upon one-sixth, seventh, or eighth of a proof—the unfortunate Calas, of Thoulouse, was condemned upon eight hearsays, which in France amounted to a proof; but, surely, a British House of Commons will not condemn on such evidence; and I hope never to see Thoulouse arguments [here a Member observed he meant too loose arguments] admitted as proof here. I do not know of any precedent for this Bill—it is impossible to put it in execution—and I will tell the House a story that happened to us when we  
marched



marched at Ticonderoga; "The inhabitants of that town looked upon the officers of the corps as men of superior beings to themselves, and the youngest amongst them, I will answer for it, was highly treated, and indulged by the fair sex to the utmost of our wishes, even their wives and daughters were at our service;" and if the same degree of civility prevails, think you that it is possible the execution of this Bill can even be observed by your army? I was of the profession myself, and I beg leave to tell the House that I am no deserter from it. I was forced out of it by means which a man of spirit could not submit to. I take this opportunity to say again, that I am no deserter from my profession. [Here it was strongly imagined, that the Colonel meant to give a broad hint to Administration, that the line of his profession was not disagreeable to him.] I think this Bill is, in every shape, to be condemned; for that law which shocks Equity is Reason's murderer; and all the protection that you mean to give to the military, whilst in the execution of their duty, will serve but to make them odious; and what is so to others, will soon become so to themselves. I would rather see General Gage invested with a power of pardon, than to have men brought over here to be tried; and the state of the case upon the trial, I mean in America, would, I am sure, justify such pardon. You are, by this Bill, at war with your Colonies; you may march your troops from North to South, and meet no enemy; but the people there will soon turn out, like the sullen Hollanders, a set of sturdy rebels; a perpetual exertion of your authority will soon ruin you; therefore, let me advise you to desist. Let us but look a little into our behaviour. When we are insulted by France and Spain, we negotiate—when we dispute with our Colonies, we prepare our ships and our troops to attack them. It has been the language of a noble Lord, that when America is at our feet, we will forgive them, and tax them; but let me recommend lenient measures, and to go cap in hand to your subjects; if you do not, you will ruin them. The great Minister of this country (Lord Chatham) always went cap in hand to all: his measures were lenient and palliative; but we have now adopted another system. In the one House of Parliament we have passed the Rubicon, in the other *delenda est Carthago*. [He gave a history here of the different state of finance in which France was; that it was superior in every degree to this country; that their establishments were lower in point of expence; and that France was more ready and fit to go to war than we were; and that during these troubles with our Colonies, France would not lie quiet;]—but I see nothing, says he, in the pre-

sent measures but inhumanity, injustice, and wickedness; and I fear that the hand of heaven will fall down on this country with the same degree of revenge.

Mr. S. FOX. Mr. S. FOX—I rise, Sir, with an utter detestation and abhorrence of the present measures. It is asserted by many gentlemen, that these measures are adopted to keep up the regard of the people, but I can by no means acquiesce in that; all these Bills have no qualities relative to those lenient measures. As to the second Bill, it has a most wanton and wicked purpose; we are either to treat the Americans as subjects or as rebels. If we treat them as subjects, the bill goes too far; if as rebels, it does not go far enough. They have never yet submitted, and I trust they never will. We have refused to hear the parties in their defence, and we are going to destroy their charter without knowing the constitution of their government. I am utterly against such measures as these, which can tend to nothing but to raise disturbance and rebellion.

Lord Carmarthen.

LORD CARMARTHEN—I do not mean to trespass long at this hour of the night; but there is not a person in the world a stranger to the practices carried on in America, with a direct intention to throw off their dependance on this country. The opposition which they fomented, was not made on account of the tax, but a systematick measure of opposition to every part of the law of this country. It might have been thought by sober-minded people, that the repeal of the Stamp Act would have brought them back to a sense of their duty: but, alas! Sir, it had a contrary effect. [He read an extract of a letter from Governor Bernard, setting forth, that upon “coercive measures being adopted in this country, the Americans seemed to give an acquiescence; but whenever lenient ones were the system of Administration, they have always been turbulent and riotous.”] It has been observed, Sir, by an Honorable Gentleman (Colonel Barré) that a great Minister (Lord Chatham) proceeded upon cap-in-hand measures. I do not agree with him on that point, as I never heard that Minister celebrated for that part of his character. I always understood that his measures were deemed spirited and vigorous, and that he was the farthest man in the world from making use of cap-in-hand measures; his character was of a far different nature. But I refer the House to all the panegyrics that have been passed on that noble Lord, for confirming what I say. But, Sir, the time may soon come, when that noble Lord will have an opportunity, in the other House of Parliament, to adopt and make use of those cap-in-hand measures which the Honorable Gentleman has just now attributed to him, as a part of his character;

character; but I greatly fear his system will be of a different kind.

Mr. ST. JOHN—I rise, Sir, to take up a few minutes of Mr. St. the House's time, and to make a few observations upon what John. has been said. It has been stated that this Bill is taking away all the rights of the Americans in one day, and that it is a total destruction of their charter. What is this, Sir, but a gross misrepresentation of Parliamentary proceedings? I hold it, Sir, imprudent to meddle with chartered rights, but in cases where the rights of that charter are exercised to the detriment and injury of the people. Sir, Parliament has saved America from the jaws of tyranny, by amending their Constitution; and to say that we have no right to alter their Government for such purpose, appears to me the highest absurdity; we are perpetually altering and ameliorating our own Constitution, upon emergencies; is there then no emergency at this present instant, when your officers are obliged to take shelter in your castle; when the magistrates refuse to execute their authority to keep the peace; when your ships are plundered, and your trade obstructed; and whenever a person endeavours to reform the Constitution of that country, he incurs nought but pains and penalties? Is it no defect, that the inhabitants, when they meet to choose their officers of the town, that they determine upon points that go to the very vitals of the Constitution? Not to correct these deficiencies in their Constitution, but to give up the points which they contend for, would be a base surrender of the rights of posterity. It has been said, this law is partial, but that that partiality is applicable only to the people of Boston, who have been the ringleaders of the whole disturbances; that it is slow, I also agree, because measures of this sort, when adopted on the line of security, proceed with an attentive step. But I cannot agree that the measure is hostile; if it is, it is hostility adopted for the prevention of bloodshed. Have we not been provoked to this from the manifold injuries which this country has received? It is not, Sir, the strength of America that we dread; they have neither men, army, nor navy. What then have we to fear—do we dread the loss of our trade? No, Sir, the avarice of the Americans will prevent that. They threaten us with not paying their debts; but I am afraid, if we give way to them, they will not allow that they owe us any: however, Sir, let us not proceed weakly nor violently, but with resolution and firmness. I approve of the system that is adopted; and with regard to a fair and impartial trial in that country, I think it not only improbable but impossible; I therefore wish well to the present Bill.

Mr.

Mr. Byng. Mr. BYNG—I am sorry, Sir, to find that we are not now proceeding in our judicial capacity, but in our legislative one; I could wish that we infilled into the measure more judgment, and less of our power. It is said this measure is adopted to prevent bloodshed; is it then that you send armies there for that purpose? It has been said, that Parliament has bowed its head to every Minister as often as measures have been adopted. It bowed when the Stamp Act was made; it bowed when it was repealed! I wish, however, in this present instance, it would for once not be quite so civil. It has been said, that these Bills are for amending the Constitution. Will gentlemen call that amendment a good one, which directs, that the Judges places shall be at the disposal of the Crown? Surely not. It has been said, Sir, there has been treason and traitors, but that the traitors are not known. There can be no treason without traitors, therefore endeavour to find out the traitors first, that they may be punished, to save the destruction of a whole innocent people. It has been urged, that this Bill is only for a short time; but the same argument that operates for its continuance for an hour, will operate equally for its perpetuity.

Mr. Rigby. Mr. RIGBY—I rise, Sir, only just to contradict an opinion which has been imbibed, that, in the debate the other day, I wished to tax Ireland. I only used it as an argument in my speech to tax America, but never expressed a wish that it was proper to tax it. It has also been observed, that I treated requisition in a ridiculous light; I did so; and I think any requisition to the Americans for their quota of their taxes, would be both ridiculous and ineffectual. But the Honorable Gentleman's (Mr. Barré) ideas of requisition, go no further than furnishing provision for a regiment. The Honorable Gentleman has taken three or four days to consider of my speech, in order to give it an answer. I say stand and deliver, to the Americans, just as much as I say to my constituents, when I give my vote to passing the land-tax bill; but the Honorable Gentleman was very desirous to have a sling at me. I desire, Sir, to support the present Ministry, because I regard them; because I have respect for their abilities and resolution. That great Minister, Sir, who has been so much famed for cap-in-hand measures, did make his country too big for any one, even himself, to govern. There is not a symptom that any of the people out of doors are displeased with our measures; but I am told quite the contrary. America, at this instant, is a downright anarchy; let us give it a government. I always, Sir, speak when I like, and hold my tongue when I think proper; and whatever weight and force I may have been represented to have, connected with my friends, I would give it in support of the

the noble Lord; I would vote, Sir, for these measures, was I upon my oath, which seems now to be the fashionable parliamentary test (alluding to those objections he always made to the oath of the Committee appointed to try controverted elections); and whether I am upon my honor, or my oath, I will give a hearty concurrence to these measures.

GENERAL CONWAY—I would not take up the time of <sup>General</sup> the House at this late hour of the night, but for a very short <sup>Conway.</sup> word. I did never maintain that Great Britain had no right to tax America; I said that taxation and legislation had no connection; I allowed that we had an abstract right to tax Ireland, and also America, in the Declaratory Act; but I do not know the time when it will be proper and right so to tax. This measure will throw us into great difficulties, which I do not know when we shall get out of. The tax of tea does nothing for our revenue, it is no object; as long as you continue the doctrine of taxing America, you will never be at rest. Where is this olive branch I have heard so much talk about? It is not to be found in these measures. I do not wish to see the military protected from the laws of their country; if they commit an offence, why not leave them open in the same manner as others are? I have said, “that we are the aggressors,” and I say so still; after so many innovations of the Stamp Act, and other taxes, I am for cap-in-hand measures, for lenity and tenderness to the Americans. There is an universal right in persons to be heard at this Bar in judicial cases, when they apply for it; but I rise, Sir, only to lament what I cannot prevent; and that this spirit may be rightly directed, I do hope that the Americans will wait and stay till better times; for I think it is better to have peace with America, and war with all the world, than be at war with America; because, if they are in peace with us, they will contribute to support us in time of war.

LORD G. GERMAINE—I hope I shall be excused, Sir, <sup>Lord Ger.</sup> for trespassing a few minutes on the House. I should be sorry <sup>Germaine.</sup> to be a supporter of those measures, which are termed wicked and tyrannical; but as I cannot think that this Bill has the intention of any such designs, I shall readily adopt it. The trial of the military has been much objected to. What is it, Sir, but a protection of innocence? Will you not wish for that, Sir? America, at this instant, is nothing but anarchy and confusion. Have they any one measure but what depends upon the will of a lawless multitude? Where are the courts of justice? Shut up. Where are your judges? One of them taking refuge in your court. Where are your Council? Where is your Governor? All of them intimidated by a lawless rabble. Can these men expect a fair trial? No, Sir, at present they have  
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no existence as any part of the executive power. It is objected, that the Judges receive their salaries from the Crown, and not from the people. It is to me a surprise, that any gentleman could think seriously a moment, that this Government wanted no amendment. It has been said, give up the tea tax: Can you give up the tea tax, without the constitution? Support your supremacy, whatever you do; legislation cannot but be part of it. It has been observed, that we negotiated about Falkland's Island; I wish, Sir, we could negotiate with the Americans upon the same terms. If they would do as the Spaniards did, that is, disown the fact, and give up the point in question, we might then negotiate. The Americans, it is true, have made this claim several years, of exemption from taxation, but they have never yet carried it. Great Britain is desired to be at peace with her Colonies, by an acquiescence in their claim; but do you call such a submission to be a peace? I really think the first Bill for blocking up the port, is the only Bill of pains and penalties, when you deprive that port of its trade; and this was the Bill to which the Honorable Gentleman (Colonel Barré) gave his hearty concurrence. The Bill before you is not such a Bill: there are no pains nor penalties; their Government will be restored, and private property protected. It has been said, go to the King's Bench with this complaint, as in former times; but let me ask gentlemen, whether they can ameliorate or alter their charter? No, Sir, they can do nothing but say guilty or not guilty, by forfeiting their charter. It is incumbent on every man to give his opinion from his own breast upon this great occasion; but, Sir, I cannot help once more condemning that mob of people, which, under the profession of liberty, carries dark designs in its execution; but my utmost wish is, that these measures, in their consequences, may turn out well, and contrary to what has been apprehended.

Mr. Charles  
Fox.

Mr. C. FOX—I take this to be the question—whether America is to be governed by force, or management? I never could conceive that the Americans could be taxed without their consent. Just as the House of Commons stands to the House of Lords, with regard to taxation and legislation, so stands America with Great Britain. There is not an American, but who must reject and resist the principle and right of our taxing them. The question then is shortly this: Whether we ought to govern America on these principles? Can this country gain strength by keeping up such a dispute as this? Tell me when America is to be taxed, so as to relieve the burthens of this country. I look upon this measure to be in effect taking away their charter; if their charter is to be taken away, for God's sake let it be taken away by law, and not by a legislative coercion: but

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I cannot conceive that any law whatever, while their charter continues, will make them think that you have a right to tax. If a system of force is to be established, there is no provision for that in this Bill, it does not go far enough; if it is to induce them by fair means, it goes too far. The only method by which the Americans will ever think they are attached to this country, will be by laying aside the right of taxing. I consider this Bill as a Bill of pains and penalties, for it begins with a crime, and ends with a punishment; but I wish gentlemen would consider, whether it is more proper to govern by military force, or by management.

ATTORNEY GENERAL—The form of the present law <sup>Mr. Thurstlow.</sup> was adopted to give magistracy that degree of authority which it ought to be vested with for the execution of the laws; but this Bill carries with it no degree of severity, unless the pleasure of disobeying is greater than that of the punishment. To say that we have a right to tax America, and never to exercise that right, is a mere chaos; and a man must abuse his own understanding very much, not to allow of that right. To procure the tax by requisition is a most ridiculous absurdity, while the sovereignty remains in this country; that the right of taxing was never in the least given up to the Americans. Their charter is mere matter of legislative power; and whoever looks into that charter, will see that no power whatever was meant to be given them so as to controul the right of taxation from Great Britain.

Mr. B. BURKE—I have little to say, Sir, with hopes to <sup>Mr. Edm. Burke.</sup> convince the House; but what I have to offer, I shall do with freedom. It has been asserted, that the nation is not alarmed, that no petitions of discontent are received. How can persons complain, when sufficient time is not given them to know what you are about? We have now seen the whole of this great work; I wish all was good that it contained. I am afraid a long series of labours and troubles will succeed. The question that is before you is a great one; it is no less than the proscription of provinces, and cities, and nations, upon their trial; except that when the saints of God are to judge the world, I do not know one of greater importance. I will endeavour to comply with the temper of the House, and be short in what I have to offer. [The House being noisy, several Members going out, soon after which he got up and said,] I find, Sir, I have got my voice, and I shall beat down the noise of the House. Why did I compromise? [Here he produced the letters from Lord Hillsborough to the Americans, which declared, that his Majesty, or his Ministers, had not any intention of laying any further taxes on America.] He dwelt some con-

siderable time on the words which the letter contained, as a sort of declaration to the Americans that they should not be taxed. If you govern America at all, Sir, it must be by an army; but this Bill before us, carries with it the force of that army; and I am of opinion, they never will consent without force being used. I have to protest against this Bill, because you refuse to hear the parties aggrieved. Consider what you are doing, when you are taking the trial over the Atlantic seas, 3000 miles to Great Britain; witnesses may be subpoenaed, and called upon by the prisoner, as many as he pleases. Let me, for God's sake, wish that gentlemen would think a little more that a fair trial may be had in America; and that while the King appoints the Judge, there is a degree of fairness that people should the jury. Repeal, Sir, the Act which gave rise to this disturbance; this will be the remedy to bring peace and quietness, and restore authority; but a great black book, and a great many red coats, will never be able to govern it. It is true, the Americans cannot resist the force of this country, but it will cause wranglings, scuffling, and discontent. Such remedies as the foregoing, will make such disturbances as are not to be quieted.

**Lord North.** LORD NORTH arose to answer Mr. Burke. He desired leave to look at Lord Hillsborough's letter, as he had not a copy of it; and explained the passages in that letter very different from what Mr. Burke had; he read the words, "That neither the King, or any of his Ministers, wished to tax America." His Lordship observed, "That this was not an expression that carried with it a denial of the right, but only a wish that no further taxes should be laid on. A man, says he, is not factious, that says America may be taxed; the letter contains an opinion, that no further taxes, at that time, ought to be laid. I am sorry to hear a charge thrown out, that these proceedings are to deprive persons of their natural right. Let me ask, of what natural right, whether that of smuggling, or of throwing tea overboard? Or of another natural right, which is not paying their debts? But surely this Bill does not destroy any of their civil rights? You have given them a civil Magistrate and a Council, which they had not before; you have given the innocent man a fair trial in some colony or other; and if he cannot get a fair trial in that country, the whole being in a destempered state of disturbance and opposition to the laws of the Mother Country, then, in that case, and in that only, he must be sent to Great Britain. All that these Acts profess to do, is to restore some order to the province, None that admit the least degree of sovereignty, can possibly deny the provision of this Bill; it is not a military Government that is established, but the alteration of a civil one. I am sure



sure that this is adopted as the best method at present; I do not say it will succeed, but I hope for the good consequences of it; and if the Massachusset's Bay is to be governed by management, this is the only remedy. By what means is authority to be maintained, but by establishing that authority from Parliament? I do not know, Sir, what is the proper time to lay on a fresh tax on America; but this I know, that this is not the proper time to repeal one. We are now to establish our authority, or give it up entirely; when they are quiet, and return to their duty, we shall be kind, whether by repealing this tax, or what not, I cannot tell; but this I will answer, that when they are quiet, and have a respect for their Mother Country, their Mother will be good-natured to them.

SIR GEORGE SAVILLE—I shall say not a word of preface Sir George Saville. at this late hour; I do not hold it improper to take this into consideration in a legislative capacity, in preference to a judicial one; but I hold this to be a principle of justice, that a charter which conveys a sacred right, ought not to be taken away without hearing the parties, either in a judicial or legislative way, which has not been done, but from their own declaration in the papers on the table, and which I, in my mind, do not think sufficient evidence.

The question being put, that the Bill do pass, the House divided; Ayes 239, Noes 64.

May 6. The third reading of the Bill for the impartial Administration of Justice in the Province of Massachusset's Bay.

Mr. DEMPSTER—I do not apprehend, Sir, that the Bill before you is at all adequate to the purpose intended; nor do I think that experience warrants the assertion, that a fair trial cannot be had in the Colonies. Surely, Sir, the bringing men over to England to be tried, is not only a direct breach of their constitution, but is a deprivation of the right of every British subject in America. I should have thought that a power of reprieve, lodged in the Governor, after conviction, would have been fully sufficient, without bringing men to England. Whenever murder is committed, it must inevitably go off with impunity; for whenever any person present shall find he is to go over the Atlantic as an evidence, to the detriment of his family and his fortune, there is no doubt but that he will evade the necessity of his appearance as an evidence. This, Sir, will be a means of subjecting the people of that country to assassination, in the room of legal trial; and the invariable consequence has always been, that when a fair trial cannot be procured, the revenge of the relations of the deceased will exercise itself in this kind of cruel assassination. I, perhaps, Sir, may be wrong

in my ideas; but I have looked into the history of that country with care and circumspection, and it has inspired me with the highest veneration for those of the first settlers; they emigrated when that Star Chamber doctrine was practised in this country. Oppressed as they thought themselves by the Mother Country, by the cruelty of those arbitrary laws, sooner than suffer themselves to be oppressed by tyranny, they chose rather to combat with tygers and Indians in America, than live in a place where oppression and tyranny ruled. It is no new thing, Sir, that they have refused to comply with the payment of taxes demanded from this country; this exemption is a very old demand of theirs, and supported by their charter. Imprisonment of two persons, who held this kind of doctrine, was made in the time of Sir Edmund Andrews, who was then Governor; and the Americans passed a law, declaring that this country had no right to tax; it is true, when that law came over here, it was rejected. Let gentlemen consider, that if we tax America at this present period, her trade and every thing else will decline. I think that Boston has the most merit with this country of any place I know; she is a most valuable ally, or a subordinate Colony; take it in either sense, her possession is inestimable; but I really fear very much, that the Americans are to be thus treated, without the parties being heard. I do not like to see public liberty and the rights of persons infringed. There are two articles in the Bill, which I cannot blame the Americans for resisting; ~~mean~~ that of the Council and the Judges being chosen by the Crown: the ancient way which their charter directed of choosing their Council, was far more eligible; they were men at a certain old age, to which experience generally adds wisdom, that were elected Council; but this is a new system, that carries with it neither experience nor wisdom; and I think the change unnecessary, though not oppressive. I think the office of Sheriff is more oppressive, because he is an engine of power in the hands of the Governor; nor do I approve of taking away the town-meetings; there is but one precedent of this kind to be found in history; but I could wish, on the present occasion, that a second had not been made. He concluded in praise of the character of Doctor Franklin, whom he called the ornament of human nature; and said he thought him highly praise-worthy, for those very acts for which he had been so much blamed.

Mr. Grey. Mr. GREY—I think this House, and this nation, owe their best thanks to the noble Lord who has brought forward this business; and I must allow, that nothing but necessity, in urgent cases like these, warrants a deviation from the constitution; the law should not be invaded on every frivolous pretence,

tence, but this requires the serious attention of the whole Legislature. It would be cruel to the last degree, that when your subjects are employed in preserving the peace, not to give them the utmost security in the execution of their duty. But let me ask, Sir, in what situation will that navy and army be, that has no protection for executing the laws which you have vested in their hands? Will you leave them a sacrifice to the rapacity of the revengeful dispositions of the relations of those unhappy men who may fall by their hands, in the execution of their duty? I cannot think this Act will operate in any shape to the detriment of the people, if they return to their duty; if that is the case, that they do return, and be obedient, the Act will be a waste piece of paper; but the trial of persons in England will seldom take place, I apprehend, as nothing but the most absolute necessity will drive the Governor to have recourse to the Act.

Mr. PAULI' said a few words, and observed, that nothing Mr. Paulc.  
was ever more just than the measure proposed in the Bill before the House; that it was the most cruel thing to let a man lie even one hour in prison, in expectation of being tried by a jury whose minds were biased; but for the sake of justice, a voyage across the Atlantick would surely be thought, on such an account, an undertaking not pregnant with much danger.

Mr. SAWBRIDGE—I hope, Sir, the House will hear me Mr. Sawe  
bridge.  
a few words, as it is the last opportunity I shall have. The opposition I have given to these measures, does not proceed from a settled disposition against Administration, nor do I do it for the sake of popularity; it is for the love of that liberty which I have always been strengthened in, and bred up by education. I had rather bear the badge of the parish, than that of apostacy. It has been urged in debate, that this country has a right to pursue those measures adopted in the Bill, and that necessity is the ground and argument which urges it on: but pray, Sir, let me ask, who is to be the judge of that necessity? A nation surely cannot be called a free nation, where another has a right to draw money out of their pockets; but I cannot understand how any one can agree with these measures, and deny the right of taxation. If you exercise an authority which does not belong to you, or if you force an illegal authority, they have a right to resist. I do not see any necessity for bringing over the people to be tried by a jury of England; I think the Crown should have lodged a power in the Governor to pardon, and I should have thought it the brightest jewel in it on this occasion. You say, that the Governor is to use his discretion with regard to the having a fair trial; but by this Bill the Governor, I say, is not the judge of that, for it must be

be upon the oath of a witness; he must believe that witness, and no discretion is left in the Governor. No man will become a voluntary evidence on such an occasion; he will sooner fly from that situation, than be transported to England. By that means justice will be evaded, as evidence cannot be had, and the people will soon take upon themselves to revenge their own injuries.

**Col. Barre.** **COLONEL BARRE**—Sir, I think it criminal to sit still upon the final decision of this question, as I cannot, in any shape, approve of this measure. I think the persons whom you employ to execute your laws, might have been protected in the execution of their duty in a less exceptionable manner than that Bill proposes. Your army, Sir, in that country, has the casting voice; and it is dangerous, Sir, to put any more power into their hands. Consider, Sir, how long they will be content with 4d. per day; I am afraid not long. You have had one meeting already, you may soon have another; the people of America will receive these regulations as edicts from an arbitrary Government. The heaviest offence they have been guilty of is, that they have resisted that law which bears such an arbitrary cast. I want to know, if we in this country had not resisted such arbitrary laws in certain ancient times, whether we should have existed as a House of Commons here this day? I object much against the doctrine which I have heard laid down, that the particular exigency of the case countenanced the measure. I do not apprehend the Americans will abandon their principles; for, if they submit, they are slaves: I therefore execrate the present measure, in the manner proposed.

**Mr. Pulteney.** **Mr. PULTENEY**—Sir, I will comprise in a few words what I have to say: I do not apprehend that the Legislature can tax a particular county, without shewing some degree of partiality to others, nor can they justly do it. I think the principles of this Bill may be tolerably equitable, and I do believe it will produce a fair trial; but as there are some defects in the present form in which it now stands, with regard to the errors and flaws that may be in an indictment, I will offer a clause, by way of rider, to give power to a jury in England to find a bill of indictment, in order to correct such a deficiency.

**Mr. Fuller.** **Mr. FULLER**—Sir, I will now take my leave of the whole plan, and I will give you my free opinion of it: You will commence your ruin from this day, if you do not repeal that tax which created all this disturbance; you will have no degree of confidence with the Americans; people will not trust you when your credit is gone; you may, I say, date your ruin from this day; and, I am sorry to say, that not only this House has fallen

into

into that error, but that the people of this country approve of the measure. I find the people wish for the measures proposed in this Bill, as much as the majority here; it is not all owing to the junto of a Ministry that these measures are taken, it is the people at large, whom I am sorry to say, are misled; they are in an error, but a short time will prove the evil tendency of this Bill. I think this Bill before us bears the least injury of any of the three; but, if there ever was a nation running headlong to its ruin, it is this.

Mr. H. CAVENDISH—Sir, I am very glad to hear that <sup>Mr. Cavendish.</sup> there is a majority in this House for these measures, but am much better pleased to find that the country in general approve of them in as high a degree.

The House divided on the question, that the Bill do pass; Ayes, 127; Noes, 24.

May 12. The House, in a Committee of Enquiry, on the state of the Linen Trade of Great Britain and Ireland, Mr. McBiggar, Agent for the Linen Board of Scotland, was called in, and underwent an examination of above two hours. His evidence chiefly consisted of a general state of the trade in both kingdoms, and a variety of observations upon the whole of the evidence given on the part of the Hamburgh merchants, a great part of which he attempted to invalidate from authentick papers before the House. As soon as he withdrew, Sir Gilbert Elliot, and the gentlemen on that side, pressed those who had presented petitions on behalf of the woollen manufacturers, to proceed to a proof of the facts therein stated. This produced a debate, but no question was put.

May 13. The House in a Committee of Supply: Resolved, That it is the opinion of this Committee, that the sum of 288,030*l.* be granted to his Majesty to make good the extraordinary of the army from March 24, 1772, to April 22, 1774.

COLONEL BARRE, from a paper which he held in his <sup>Col. Barre.</sup> hand, observed on the four following sums in the estimate, which he said he should be glad to have explained. The first was the sum of 17,000*l.* to Governor Leybourne; the second, of 12,000*l.* to the Deputy Governor of Canada, for the civil expences of that province; the third 26,000*l.* to Colonel Dalrymple; and the last article, 866*l.* being a debt contracted in the hospital service in the years 1744, 1745, and 1746, in Scotland and Flanders. After descanting on the manner those several expences were incurred, and the mode they were now brought forward, he proceeded to observe, that our peace establish-

establishment was every day increasing, and was at length become too heavy and burdensome to be any longer borne, as being totally disproportioned to our ability; that our land and malt, estimating them at the highest, which was 2,250,000*l.* was entirely swallowed up by the expences of our navy; and that, estimating the maintenance of our army at 1,500,000*l.* our ordnance at 250,000*l.* and the pay of the militia at 110,000*l.* these estimates added to the naval establishment, would amount to the enormous sum of 4,150,000*l.* that the military establishment of Ireland was 550,000*l.* which together amounted to 4,700,000*l.* which exceeded that of France, formed on the largest scale, by 300,000*l.* He then enumerated the several items in the French establishment, in denominations current in that country, and shewed the whole did not amount to more than 4,400,000*l.* He observed on this statement that it was a matter of very serious consideration, when it was known, that this, in all probability, would be the lowest estimate we should experience for some years; and concluded with informing the Committee, that this was the last day in the session he would have it in his power to submit these important and truly alarming facts to the House, as the opening the budget was generally a day of triumph to the Minister, it being looked upon extremely impolite and ill-timed, to interrupt him in the full enjoyment of it.

**Lord North.** LORD NORTH said, that day of importance would be the 18th. He went through the sums mentioned by the Colonel, and stated them differently; and said, that on the 18th he should be thoroughly informed respecting the situation we stood in with France, when he would deliver his sentiments, and open the budget.

**Col. Barre.** COLONEL BARRE again rose, and desired the noble Lord to discuss the matter now, and open his budget in peace.

**Rt. Hon. T. Townshend.** RIGHT HON. T. TOWNSHEND was very severe on Administration, and observed, that they had frequently sent many more troops to St. Vincent and the Ceded Islands than were necessary; some were sent to butcher the Indians, and others to work as mechanicks, not as soldiers; and that all our expences were much above what we are able to bear. Dominica, in particular, he said, had swallowed up thousands of brave men; that there were now six companies there, and he should be glad to know for what.

**Lord North.** LORD NORTH said, that although the expences were so high this year, he would pledge himself they would be much less another; that when the ships returned from the East Indies, a much less fleet would do; that many expences had been

been laid out on the navy, in order to put it in a proper state of defence, which expences would not be wanting again for a considerable time; that we should only have now to keep it in repair, before we had it to establish; that our dock-yards were now better stocked with timber than they had been for many years, and that almost every extraordinary expence was now completed.

GOVERNOR JOHNSTONE spoke greatly against the enormous expences which our army and navy every year swallowed up, although we were every session told that we were in profound peace. Governor Johnstone.

Mr. W. BURKE said, that we were always told by the Minister that the next year the expences would be less, but he was sorry to say, the Minister's prediction in that instance never came true. Mr. Wm. Burke.

May 18. LORD NORTH this day opened the budget. When he had stated the accounts, he went on with saying it had been, *daily* repeated, that no part of the national debt had been paid off since the conclusion of the peace. This he said was untrue; for although the funded debt was rather increased, the unfunded was diminished from 13,000,000*l.* and a fraction, to 2,000,000*l.* and a fraction; so that, balancing the increase of the funded against the decrease of the unfunded, it would appear that 8,000,000*l.* and a fraction of national debt had been paid off within the last ten years, which reduction produced a saving of 360,000*l.* *per annum* to the nation. Lord North.

But it seems, from what has been pretty often dropped in this House, and even without doors, that notwithstanding the affairs of this country are in so good a situation, yet, taken relatively to those of France, they are in a very bad situation; this has been produced as a matter of terror, reproach, and example to those who are concerned in the administration of affairs here. Sir, I shall desire to go a little into this circumstance, but first I must premise that an accurate knowledge of the French finances is to be had by very few; I do not believe there is a person out of the offices in that country that knows much of the matter with accuracy; but it is easy for a gentleman of quick parts to travel into France, and gain that kind of information, to hold forth, and to persuade people who know nothing of the matter, that he knows something of the matter (meaning Colonel Barré). Sir, the French finances are not transacted in a House of Commons, or a Committee of Supply, but in private chambers; it is the glory of this country that all the world knows what England owes, and what England can pay; but in France all is private, the resolutions of the Cabinet

are followed only by edicts, and these are so contradictory, so voluminous, and so multifarious, that it is a science to understand them; even the bankers of Paris, who have any business, find it impossible to make themselves masters of the business of the French funds, and employ brokers, whose only business it is; then, Sir, when I pretend to tell you what is the present state of the finances of that country, I cannot pretend to accuracy; I leave those pretensions to gentlemen of more eloquence and greater vivacity (looking at Colonel Barré).

Sir, I have three accounts of the French finances, as they were in the year 1772, and also last year; these accounts agree in the main pretty well, and are, I believe, very much to be depended upon in the principal parts, though not, as I before observed, with any minute accuracy. By one of these accounts the revenue is 359 millions of livres, or about 13,500,000*l.* at the present rate of exchange; another account makes it 14,000,000*l.*; this receipt is longer than it was in 1763, for several new taxes have been laid upon the people, the farms have been renewed and raised, and other circumstances have happened to increase the gross revenue: my accounts make the expenditure, in 1764, exceed the whole receipt by 700,000*l.* sterling; and in 1772, after all the additions made to the revenue, after all the acts of power which had reduced the debts, and after every exertion of which we have heard so much, still the excess of expence was then 300,000*l.* sterling: this is, Sir, upon the lowest and most moderate account; but I have very great reason to suppose that it is much under the truth, from another undoubted circumstance, which is, that since 1763, they have contracted in ten years, sixteen millions sterling of new debt; this is certain, and consequently, the excess of their expence must have been greater than from 700,000*l.* a year, to 300,000*l.* a year.

I find the whole military expence of France set down at something more than 5,000,000*l.* sterling; but upon this article I have great doubts: the *extraordinaire de guerre* includes only common articles of expence, and even part of the actual pay of the men; but gentlemen who reflect on this matter will be certain there must be some after-clap of no slight consequence.

Besides the military roll, there are the articles of the expences of the King and the Court, which are various and indefinite, and rising to such sums as I dare say make their controllers in general tremble. There is also the interest of their debts; upon this article I must dwell a little, because the conduct of the present Minister in that country has been held up, both within doors and without, as a pattern which the Ministry  
in



in England ought to follow. The means taken to support the finances of France :—

In the first place, Sir, the *caisse d'amortissement* was applied to the sinking of the capitals; this being the sinking fund, it seems no great matter, for our sinking fund is applied to the same purpose, but it was shut up; however, Sir, the sinking fund of France is quite another affair from that of England. Upon the great burthen of debts which loaded the government in 1763, out came an edict, very well written, as all their edicts are, setting forth, that the necessities of the state rendered it absolutely necessary to lessen the debts of the publick; that for this purpose his Majesty found it necessary to take a portion of their annual interest, and form it into a fund for the payment of their own debts, a system something different from the fund in England for paying debts. Well, the next thing he did was to divert this very fund to the current service of the year, which had been formed from their interest for the payment of their capital.

Now, Sir, let us turn to the next measure of finance for the reduction of debt: this was in the tontines; we have nothing in England that resemble them, and therefore I cannot translate it; but the operation was, at one stroke, to reduce perpetual securities to life annuities, that is, to cut off the survivorship. The next thing was to go to work with many different funds bearing interest, some 8 *per cent.* some 7, others 6, and others 5; all these were, by another act of power, for the sake of a beautiful symmetry, reduced to 2½ *per cent.* Next, Sir, there is a fund in France which has ever been held sacred, and through all former acts of power escaped the violence of the financiers: it is the perpetual annuities secured on the *Hôtel de Ville*: such an infinite number of people in all parts of France are concerned in the stability of this fund, that it was supposed to be the last that a Minister would dare to touch; yet, Sir, this did not escape: under the pretence of paying off part of the capital, the payments were made in *billets de Roi*, which, from 100 fell immediately to 60, and that 60 funded anew.

Besides these operations on the funds, other measures were used, which have rather a better appearance; the farmers general were very severely treated in the debts due to them by the Crown; but as they were much hated in France, this measure was approved; though certainly, in the light of publick creditors, they ought to have been respected. Another measure was a reduction of pensions, which at first sight may carry a popular appearance, but, upon examination, it will not be found judicious. In France, very many people, after spending early all

their fortunes, and passing the greatest part of their lives in the service of the publick, retire upon little pensions, the all they have to live upon; to reduce such, I must call a violent, cruel, and impolitical measure.

Now, Sir, I must observe on these various stretches of power, that they must by no means be called regular operations of financial abilities, since it is very plain, that a Comptroller General might as well be called a great Minister from his expedition and spirit in applying the dash of a pen to all the debts of France, and wipe them out at one stroke. Is there any gentleman that would wish to see similar operations going forward in England? Is there any gentleman that would think this country so much the richer, and more powerful, because its debt was extinguished by such a mode of proceeding? Is it not apparent that France therefore, from a similarity of reasoning, is by no means more wealthy or more powerful from having practised those acts of power?

I shall next take the French affairs in another point of view. Notwithstanding these repeated, and, I may say, tyrannical acts, she is still involved in an enormous debt, for it is very little sunk; that is, not near so much by this conduct as at first sight would be supposed. Let us take a view of their funds: by the new created debt since the peace, and that occasioned by the war, a man possessing stock may make about seventy-one *per cent.* by his capital. These funds, Sir, are now, and have been for a year, at thirty-two, that is at no less than sixty-eight *per cent.* discount, and there are none of these debts higher. That stock, which it is very well known in France from many circumstances will be the last that is tampered with, is at twenty-seven *per cent.* discount: Can this view of the present state of the credit of France reasonably suggest alarm to the friends of this country? So very far is the representation we have heard of the French finances from being a true one, that the very rescriptions which are formed out of former debts, and which somewhat resemble our Exchequer Bills, and which are lessened as fast as the efforts of the French Ministers can effect it, these, Sir, are yet circulating in the market at the monstrous discount of more than forty *per cent.* and from this circumstance I think we may fairly and clearly deduce, the utter impossibility of the French Ministers violent measures having had such an effect as some persons would persuade us: and if, Sir, all these exertions of power, and this continued flagrant violation of all the principles and practices of publick credit, if these efforts have not been able to free them from more than a very inconsiderable portion of debt; and knowing at the same time that they have contracted sixteen millions

millions of fresh debts since the peace; nothing can be clearer from all this than the utter impossibility of what has been said of the flourishing state of their finances. And at the same time, Sir, that we know these circumstances, we likewise know how much the people have been impoverished and oppressed by continuing the taxes of the war, and also by laying on new taxes since the peace.

It has been said, Sir, that the death of the King of France will endanger the peace; and the idea of the new monarch being an œconomist is connected with it, in order to make us tremble. But, Sir, if the new King is an œconomist, he will not break the present peace with his neighbours, in order to plunge into all the difficulties which a war would bring upon him. If he is an œconomist, he will find work enough in his own finances to keep him employed.

Sir, the Ministry in England have been much reflected on, not only for being bad managers, but, it has been said they ought, in imitation of the Comptroller General in France, to lay new taxes. Sir, our expenses certainly run very high, and to render them easier, new taxes might be devised; and when Parliament thinks proper to lay taxes, I shall not oppose it; but I must observe, that our great expenses arise from large establishments: these, both by sea and land, were after the peace thought necessary, partly on account of our conquests, and partly for security in peace. There was a measure, Sir, adopted before the last war, which then, I suppose, was found necessary, and certainly had great effects; I mean the seizing the French ships before the declaration of war. But that measure, necessary and useful as it might be, could not; cannot be forgotten; and it might and was thought proper to keep up a greater force than on former occasions, in order that we might not be taken ourselves unawares, and have others go to work with us, with as little ceremony as we attacked them. But, Sir, whether this has been just or not, certainly the gentlemen on the other side of the House have little reason to reproach Administration for not laying taxes: let them reflect, Sir, on a tax which was laid, upon the maturest consideration, upon a consumption not taxed before, called for by every rule of equality, and so light, though at the same time productive, that scarce any body could feel it. Every gentleman will see I mean the Cyder Tax: that tax, Sir, against which there never were two syllables of common sense urged, was repealed upon the cry of liberty being in danger: the excisemen will invade our houses, castles, if you please; yet a small composition would have kept out the exciseman, so that to a gentleman of four thousand pounds a year, the payment would have amount-

ed only to forty shillings a year. Unhappily, however, for this country, the cyder counties gave us financiers, and the tax was repealed.

There was another tax, Sir, a well known, common, and customary grant, an annual tax, and the amount little felt by the interest that paid it, that, Sir, was lost; much, I am sure, to the disappointment of me, among others, who found ourselves in the minority. Those gentlemen, therefore, who promoted the repeal of the cyder duty, and voted for taking off the one shilling of the land-tax, have surely very little reason to reproach Administration with not laying on fresh taxes: and they should recollect the very different situation of France, at this period, from that which has now been mentioned as the system of England.

Col. Barre. COLONEL BARRE—The noble Lord has done what is very unusual with him, he has quitted his usual defensive ground, and taken an offensive part; but he has fixed his day of triumph for it, when he chooses his own ground, makes his own representation, and gives us just as much of every subject as suits his purpose. I have had, however, shot for shot with the noble Lord, and should not now take up the time of the House, had I not been so pointedly called upon.

The noble Lord has accused me of endeavouring to deceive the House in relation to the state of France; but I have offered no information in any point, which I did not receive from authority that appeared good; and I must remark, that in the material article, the degree to which their debts are lessened, he speaks entirely from conjecture, not in the least upon positive information, good or bad. Before I enter more particularly on this matter, I must congratulate the House on the attention which the noble Lord has given to the French affairs. I really believe he has employed from the 13th [the day when Colonel Barré spoke of the state of France] to this day, the 18th, in making up his French budget, which upon the whole is very well put together, and in several particulars agree with the information I gained when in France. The noble Lord's accounts make the total revenue from thirteen to fourteen millions; my authority is extremely positive for sixteen millions. And in the article of debts paid, and interest reduced, our accounts disagree so totally, that I can by no means reconcile them, in so much that I find not the least reason to allow the conjectures he has made on this head; for if the gain of interest has not been more than a few hundred thousand pounds a year, and if they have run in debt a fresh sixteen millions, in the name of common sense for what purpose, and to what effect have all those enormous acts of power, to the destruction

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D E B A T E S.

destruction of credit, been entered into? My information is directly contrary, and the plain reasoning of his Lordship's own facts confirms it. So many funds reduced from seven, six, and five *per cent.* to two and a half, and so little profit made by it! It is a contradiction. But, Sir, there is another circumstance, these revenues are to be viewed in time to come with a very different eye from what has passed. The period following the peace abounded necessarily in a load of expence, and I know, on good authority, that their three last marriages cost them very little less than two millions sterling. These, and several other articles of expence, are past, and will not return. The noble Lord states the military expence at five millions, it is the same in my account; this is not a third of their revenues; whereas ours amount to four millions, or very near half, a confirmation of what I advanced on a former occasion, that our military establishment was greater than that of France. I spoke of that country as an object of terror; I repeat it again; I repeat that such an immense revenue, raised upon the worst of systems, and consequently open to prodigious improvements, with a debt lessening (no matter by what operations, for every operation frees the revenue) every instant, with a future prospect, nay certainty, of not having a return of many burthensome expences. I repeat that these circumstances are, and ought to be, objects of terror to this country. We should reflect, that if the new monarch has the least turn to national oeconomy; if his Ministers make innovations in the mode of levying their taxes; if improvements extremely easy to be executed are adopted, that the revenue, large as it is, would be greatly increased, at the time that the people were eased. These are resources of which you have nothing similar. These are resources of which the noble Lord has taken no notice; the King has taken upon him the debts of the *pais d'etat*, and also the taxes which pay the interest, to a very great amount; the receipt in this case is certain and permanent; but as to the expence of interest, we may all suppose what that will be whenever necessity calls: yet this is an object of some millions sterling. Another circumstance is that of the monasteries; an inquisition has been taken, and many have been found with only three or four fat friars in them, though the revenue is ample; it was said to them, This income is more than you can know how to spend properly; you might surely unite with your neighbour, and one rental support you both. Sacrilege was the reply; the church was in danger; their institutes would be trampled on. Well, it was said, let us examine these institutes; if you have, in other parts of your conduct, complied with the terms of those institutes, very good; if not, you

you cannot complain. This matter was soon dispatched; the monks were forced to be silent, while ONE HALF of their revenues were seized. In the empty monasteries, seminaries for the education of youth were established, but in the power and patronage of the Crown; which by a very easy transition may convert them into military academies, into barracks, or whatever else it pleases. These I call resources, great resources, because they may so easily be made the fruitful mother of a thousand more. This is an art well understood in France; precedents are great things, and special use will by and by be made of these two articles.

I have always considered myself as well employed with relation to my own country, when I made use of my leisure in travelling over foreign ones, with a view to gain information concerning their political state. I have lately been in the remotest parts of France; if the noble Lord's conclusions are just, which he draws from the state he has given us of French credit, that country must be miserably oppressed and devoured with taxation, rather than taxed with judgment. It may be so; but I will tell the noble Lord what I saw in every part of France. I saw every sign of a flourishing state; an immense cultivation; agriculture highly flourishing; improvements every where going on; a prodigious population, &c. In a word, Sir, oppress that people as much as you will; yet is there that spirit of industry, seconded by such a climate, and such a soil, that she will flourish in spite of fate. Every one knows to what she was reduced; every one who has lately been there knows, or might know, how much she is recovered. Her ports are filled with commerce; her towns with manufactures; her territory is covered with cultivation; her population is boundless; and the quantity of gold and silver, not paper, circulating in the kingdom, is what we have no conception of with all our wealth. Now, if the noble Lord persists in telling us of the oppressions, taxes, and want of faith in the French Ministry, then I reply, what a country must that be, what immense resources must she possess in a better conduct, that can, under her present oppressions, carry so many undeceiving appearances of being both flourishing and formidable? And am I not justified in my apprehensions, that the real source, extent, and nature of her power are ill understood, when they are lightly treated?

Am I not also justified in saying, that this country is wasting, in an enormous peace establishment, that wealth which she ought to reserve for a day of need? The noble Lord admits that the navy is too great, and that in future it ought to be reduced. But he qualifies this with so many ifs, that he must be

be an indifferent observer who does not foresee what the reduction will be. That the noble Lord is, at bottom, of my opinion, I am convinced; but, alas! Sir, a part of our system of government is, that each great officer should be independent; we want that great controuling power which should keep all lesser powers in order; without this, it is a farce to talk of œconomy or finances: and when we reflect on this, what will be said to another budget being opened in another Assembly, as I am told (for I cannot know it personally, thanks to that disgraceful exclusion of us from the House of Lords, as if we were pickpockets) by a noble Lord, who insists that the navy shall not be lessened, and whose credit with the King is great enough to controul the Treasury itself: from hence may we not learn, I say, what hope there is of this reduction?

The noble Lord carried us to India, and gave us his conversation with the Directors: the Directors!—*Ces les Directeurs!*—ridiculous to give them that title. Knows not every man the effect of your regulating Acts last sessions; that his Lordship's Secretary, nay, his Secretary's Secretary, has nothing to do but to go with the least hint or intimation that such promotions would be agreeable to the Treasury, they are obeyed; it is done; it must be done; and shall we then be told, that the Crown, instead of adding wealth and prosperity to the nation, has not filched the power and patronage of that Company!

Mr. BURKE—The noble Lord has taken such a circuit, Mr. Eden  
Burke. that it will be no easy matter to follow him; he has encompassed the world, gone into all parts of the globe; given an historical detail which includes the operations of ages, and touched upon every circumstance in the administration of affairs, that can either call down applause or raise resentment; and not content with giving an account of the services and ways and means of this country, he has translated the budget of the Abbe de Terray, and examined, by the nicest rules of criticism, the management of the French finances. Not content with this, he has taken a new office upon him, and carried up a complimentary address to the new monarch at Versailles; he has given him encomiums—he is prudent, pacifick, and an œconomist. All this is a very great scope; great enough, Sir, and sufficient for the noble Lord's abilities, without going out of his way to insult the character of a man not present to defend it—of a man, Sir, who has abilities to reply to the noble Lord's eloquence, and whose firmness, integrity, and love of his country render him a proper object for attacks from the noble Lord. He has told us, that the western counties being fertile, not in the production of apples only, but of

financiers, the Cyder Act came to be repealed. While they are fertile in the production of such men as my Right Honorable Friend, they produce the greatest and most glorious crops that can honor or adorn a country. Sir, the composition which the noble Lord speaks of was the disgrace of that tax, as it is of all others. A man of 4,000*l.* a year could compound for 40*l.* but how could the cottager compound? What a farce to rest the oppression of a tax on the wealthy, who can buy it off!

With relation, Sir, to that part of the noble Lord's speech to which he made such haste to get the state of France, I readily allow the information which I have been able to get, some of which I have reason to believe is very good, pretty much confirms the account the noble Lord has given. I cannot agree with my Honorable Friend [Col. Barré] in his ideas of the point. France certainly cannot be in any flourishing situation, while her finances carry such an appearance; these depend on the wealth of the people; and if they were so rich, the Exchequer would taste the sweets of it more. Besides, Sir, the expences are beyond all measure ruinous; I have pretty good authority for saying, that the King draws after him a personal expence of between three and four millions sterling; and this is an article so rooted, and so vicious in its principles, that no act of the Minister's can either lessen or controul it. There is another article which does not appear in the military roll, which is that of fortifications; it is amazing what a sum of money is expended, or at least lavished under this head. Several well-informed persons have assured me, that this article equals the annual pay of all the troops; and in its very nature it is open to an infinity of abuses. Certain it is, that they have great resources in the system of their taxation; that no body can deny; how likely they are to adopt improvements is another matter. But the noble Lord, in his panegyric on the new King, tells us, that if he is an œconomist, he will not go to war with his neighbours; but can the noble Lord want to be told, that Princes may be œconomists for very different than pacifick views? Let him turn his eyes towards the great master of politicks and oppression, the Prussian Monarch, who is a very pattern of œconomy, and for what purpose, but to keep immense armies, which he pours into the territories of his neighbours with as little conscience as notice? This might convince him, that the French Monarch is not the less to be dreaded on account of œconomy.

The noble Lord, with much exultation, very ill-placed, I think, has told us the national honor does not consist in being the busy meddlers in every European quarrel; and in terms which



which wanted no explanation, severely condemned the whole system of British politicks from the Revolution. He has his system, we well know, though not the author of it; but he and his friends would have been more consistent, had the least opposition ever once been heard from them to continental measures, when in their meridian. But the system is that of blindness and infatuation, held forth as an excuse for that conduct which saw Corsica seized in one part of Europe, and Poland dismembered in another, with the most torpid indifference; when, by having a little of that busy spirit of intermeddling, both might have been prevented by mere force of negotiation, had the powers of Europe any respectable idea of this country, once the refuge and protectress of distressed nations. But the time will come, when the new system will be seen in all its impotence and folly; and when the balance of power is destroyed, it will be found of what infinite consequence its preservation would have been.

The noble Lord has apologized for the greatness of our military establishment, by telling us that our enemies may begin with us in the next war with as little ceremony as we began with them; but herein he speaks against reason and experience. A great establishment may impoverish, but cannot preserve you; it is impossible for you to have one sufficient for that; if you are secure of peace, it will be too great; if you are in real danger of war, it will ever be too small and insufficient in the hour of want; it is also useless, for a nation can never be surprised; it is talking absurdly to suppose it; a Minister that finds himself unexpectedly in a war would deserve to be hanged for a blockhead. Watch the merchants, who read the political hemisphere admirably, and whose motions will always tell you where they apprehend a storm. It is impossible for a Minister of sagacity to be deceived; he will have notice sufficient when any State intends hostilities long enough to prepare for it. But for what do you keep Ambassadors, those licensed spies? Are they sent to all the Courts of Europe in order to render their country ridiculous? What a bungling system of politicks it must be, where a Minister is possessed of every means of certain intelligence, and yet talks of a great peace establishment as a means of security against a surprise. Here, therefore, is an instance wherein Administration might, upon the principles now avowed, save millions every year to their country.

The noble Lord has thrown out much ridicule on those he is pleased to call the Orators. He tells you, sarcastically, that the House is much obliged to gentlemen who will take the trouble of opposing Administration, in order to keep up a pro-

per spirit of enquiry. Upon my word, that man who sticks honestly and sincerely to opposing what he thinks a bad Administration, and who persists in it, while others, equally professive, gradually are tired and fall off, is, Sir, a true and sincere friend to his country; is honest, and not that contemptible being which Ministerial followers are so fond of representing him. There are such men in this House, and I trust and hope it never will be without them.

Mr. Dempster.  
Ser.

Mr. DEMPSTER—I do not rise, Sir, in consequence of the honorable privilege with which the noble Lord would indulge the gentlemen on this side of the House; the privilege of orators in Chancery, who, as such, may ask impertinent questions, and commit errors and mistakes in their Bills without incurring the censure of that Court; I rise, Sir, in a nobler capacity; I rise, Sir, in behalf of my constituents, by whom I am appointed and authorised to defend their property, and maintain their rights in the High Court of Parliament: and I rise, Sir, late as it is, to ask a question or two which the noble Lord, as administrator of their money in the treasury of the publick, is bound to answer, and will, I make no doubt, answer, though not upon oath, with the veracity of a defendant in the Court of Chancery.

The noble Lord, Sir, has gone very largely into the wide field of debate, which the business of this day opens. He has entertained, informed, and instructed the Committee, and no member of it has heard him with more pleasure than myself: but the noble Lord stopped short where I could have wished him to have gone on. I am left, and the Committee, I believe, is also left with me, in the dark as to two very important points for their consideration. The first point is, what share of the publick and usual revenue of the State will be this year employed in the discharge of our national debt? The second point is, whether our annual revenue is decreasing or increasing? Both are important. I will therefore venture to trespass for a moment upon the patience of the House, to mention what occurs to me concerning them. In regard to the first point, I fear, Sir, it will not be found that much of our revenue has been employed in discharging our debt, the great use to which, in my opinion, it ought in time of peace to be applied.

One million of the three *per cent.* annuities is to be paid off, by a voluntary subscription of the annuities, at the rate of 88 *per cent.* The sum requisite for the paying it is 880,000*l.* Your Exchequer Bills amounted last year to 1,000,000*l.* This year they are augmented to 1,250,000*l.* Here then is a new debt contracted of 250,000*l.* A lottery is proposed of sixty thousand

thousand tickets, at 12*l.* 10*s.* each ticket. The value of the ticket is 10*l.* only. The publick pays then 2*l.* 10*s.* for the liberty of gaming for 10*l.* This must be considered as a new tax imposed upon us, and will amount to 150,000*l.* which, with 250,000*l.* additional Exchequer Bills, making in all 400,000*l.* must, in fairness, be deducted from the 880,000*l.* to be employed in the redemption of the million of three *per cents.* The remainder then is 480,000*l.* But before the noble Lord can be warranted in taking credit for even this paltry sum, as employed in discharging our debt, it remains to see, whether that debt has not been increasing at one end, as fast as we are paying it off at the other. What was your navy debt this time twelve months? What is it now? The noble Lord has not told you how this important point stands: yet it was his duty to do so. You have voted 200,000*l.* as part of the supply of the year, towards reducing that debt. I think I have somewhere heard this will go but a short way, and that there will remain still about 1,600,000*l.* to be discharged. If this is true, your navy debt is now, after discharging 200,000*l.* of it, about 300,000*l.* higher than it was a year ago. The noble Lord, nor no man who hears me, will deny that this increase of 300,000*l.* must also be deducted from the former sum of 480,000*l.* Here then remains 180,000*l.* which has been applied of all your immense annual revenue towards the lessening of our national debt. A revenue of upwards of 10,000,000*l.* and a sinking fund of 2,700,000*l.* purposely and originally destined for the discharge of our debt, afford not a single farthing more than 180,000*l.* for the service of the highest importance to the kingdom; and that too, Sir, in the twelfth year after the peace of Versailles, and in a time of profound tranquillity. A day of triumph to the Minister! This is, Sir, and in the mind of every thinking man must be reckoned, a day of humiliation to the noble Lord, and to every man concerned in the finances of this kingdom. Who can, Sir, without sorrow and despair, reflect on the present state of our revenue, consumed in useless peace establishments, which, far from adding to our strength, only encumber and enfeeble the nation, by absorbing those resources, which in wisdom and sound policy ought to be reserved for war.

Let me now, Sir, mention shortly the other material part of this day's business, which has been totally omitted by the noble Lord. I mean, Sir, the increase or decrease of our revenue. This is an important consideration; for if, while our expences increase, our revenue should be found to decrease, the candle is then lighted at both ends, and our situation is, indeed, truly deplorable. This omission has, I dare say, been  
unintended.

unintended. Yet I am led by some circumstances to suppose, this part of the picture has not been without design thrown into the shade; when brought forward, I fear it will not be pleasing. What makes me think so is this. The noble Lord has stated the sinking fund for this year at 2,700,000*l.* and he has also told us, that this is in part composed of about 370 or 350,000*l.* of savings of interest in consequence of debt formerly discharged. Yet, Sir, I remember the sinking fund having been taken five or six years back, if not longer, at 2,800,000*l.* when, less of our debt being paid off, the savings on the article of interest must have been much smaller than they are now related by the noble Lord. From hence, Sir, I conclude our revenue, the income of the nation, is on the decline; but as I can only speak from inference, and not with certainty, I shall wait with pleasure to hear from the noble Lord himself how this matter stands, and at present leave the subject here.

But, Sir, before I sit down, I must beg the indulgence of the Committee, to throw out an idea I have long had, how this House ought to act concerning our debts and establishments. The idea is crude, ill-digested, and, perhaps, visionary; yet as I know my intention to be fair, I am bound to hazard it. In time of war, Sir, the first question of the Committee of Supply ought to be, how many seamen, how many soldiers, and how much money is requisite to defend ourselves, and to annoy and attack the enemy? To these objects every other should give way. The spirit of the nation will vote, and I trust the faculty of the State will furnish amply for such services. The great law of necessity, self-defence, requires that war should not be starved: but the war once at an end, and peace restored, the House should in its wisdom and good sense, invert the order of its proceeding. Force is no longer your first object. The care of your finances stands far before it. You should enquire what incumbrances have been contracted, and examine your means of discharging them within a reasonable time, so as to restore you speedily to your former situation, in point of debts and taxes. Your first vote in time of peace should be of the sum requisite for that purpose, leaving the surplus or residue to be applied by the Ministry. Vote largely from the sinking fund for the payment of your debts, and let the Ministry cut and carve the remainder as they please; for I shall ever be of opinion, that great fleets and armies, in time of peace, serve only to increase the power of the Crown, and weaken that of the kingdom.

Governor  
Johnstone.

GOVERNOR JOHNSTONE said, that no man had received greater pleasure from the noble Lord's speech than himself; but notwithstanding all the applause it had received, he thought

thought there were some parts in it which lay extremely open, particularly the treatment of the East-India Company, the four one-half *per cent.* raised by Royal authority on the Ceded Islands, and the manner of paying off the one million now proposed. He said his Lordship had described, in the most humorous manner, the farce of Power assuming the garb of Justice in the operations of the French financiers. That no man could exceed his Lordship in that description; his solemn voice, his serious manner, his peculiar action, all contributed to give the proper vein of ridicule to such proceedings. But while the noble Lord described the conduct of the French Financier, it brought to the Governor's mind the exact counterpart of the English Minister. He observed, his Lordship had confessed that he was now convinced the extravagant ideas conceived by Government, of the riches to be drawn from the East Indies, was in fact a golden dream. His Lordship likewise confessed that he was convinced, by an account drawn up by one of the present Directors, that Government had actually received all or the greatest part of what had been remitted home from these acquisitions, and that the sums which had been divided among the proprietors, was really an accumulation of debt intailed upon them. But, says the noble Lord, I am nevertheless glad the publick has got the money. It would have been absorbed in plunder abroad, or jobs at home. The Governor submitted to the House whether that was not the very language put into the mouth of the French Financier, when he cut off the pensions and salaries to placemen, which had in fact been purchased by money, with this difference, that the Frenchman had the necessity of the State to plead, and consoled with the sufferer, while his Lordship held forth the high situation of publick credit, and exulted in proceedings that must ever deprive us of any future claims to that sacred distinction among nations. The Governor said he was far from saying the perfidy of Britain was yet to be compared to that of France; that the forms of the constitution did not permit it; that we were not as yet so far advanced in the stage of political society; they had passed the zenith of prosperity in Lewis the Fourteenth's time, we on the close of the last war: but this country was making rapid progress in the same lines of frivolity, vanity, dissipation, and injustice. The Governor said that no man had a greater right to exclaim against rapine in the East Indies, or jobbing at home, than himself, as he had uniformly opposed both; but it was a poor comfort, and a sad excuse to the innocent stockholder, that because he had suffered those injuries from others, the injustice of Government should be added to render the measure of his miseries complete, and even found-  
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ing on those three calamities the destruction of all his rights and privileges which had been purchased from the State under the faith of Parliament; that the credit of a kingdom was like the honor of a man, or the chastity of a woman, when once they began to yield, they soon proceeded to the most abandoned extremities; that it was for this reason he rose to warn the guardians of the nation of the doubtful steps they had pursued before they strayed too far, and not with any view of diminishing the respect due to the noble Lord, but, on the contrary, to add to it; by warning him to avoid such measures as must tarnish his reputation, notwithstanding the greatest abilities. That it ill became the noble Lord to talk of plunderers abroad, and jobbers at home, without he could shew, after all the positive facts established by Parliamentary enquiry, that any man notorious in those practices, had been discountenanced or abashed by his conduct towards him; but if it appeared on the contrary, such men were particularly marked among the number of their friends, and distinguished by his recommendation, the general language of censure was hollow and insincere. That he did not say (with Colonel Barré) that the noble Lord had "missed a million, and filched a patronage," but he averred the noble Lord had unjustly extracted fourteen hundred thousand pounds, and boldly disdainful of publick faith, had seized a paronage, and appeared with his troops to support it. That, after ridiculing the false pretences of a French Financier, it was below the ingenuous character of an English Minister, to avow to the House of Commons, after the notorious conduct which had been held, that he never wished to acquire any patronage in the East-India Company. Did the noble Lord pretend to say that the conduct of his Secretary had been without his orders? Did the Secretary, on his left hand, presume to deny any of the letters, which had been given to the publick as copies of the originals, in his name? That if any subterfuge should arise on this point, he was bold to say, he had one of those original letters (assuming all management) in his pocket.

The other matter in which the Governor observed the publick faith of the nation had been violated, if not the constitution of the country, was the levying of four and a half *per cent.* on the Ceded Islands by edict of the King. The Governor said, he disdained those doctrines, that after a proclamation had been made to the subject, under the Great Seal of Britain, with his Majesty's sacred promise affixed, and which must have passed through all the offices of the State for their approbation, that such notification to the world should be held of non-effect, even where the King, by the uniform acquiescence of the Legislature, had been permitted as the executive magistrate on  
such

such establishments. To say, after these facts (which none can deny), that men, purchasing estates under the faith of such a proclamation, cannot plead it in Bar; or that after such sacred assurances, almost every article shall be violated, and an arbitrary tax of four and a half *per cent.* on the gross property, shall be raised by the King's edict (an authority totally inadequate to such purposes, though the same which had given proclamation it should never be exacted), is a breach of national faith in so palpable a degree, that nothing less than the total indifference and lethargy into which we are fallen, could prevent a Parliamentary enquiry. That with regard to the constitutional point, involved under claims of conquest, whether his Majesty had originally such a power before he had in substance passed his word that he never would exercise it, the Governor declined speaking with confidence, because he naturally supposed the ablest law officers had given an opinion in approbation of such a measure. Nevertheless, the Governor fairly confessed, that if such a prerogative of raising money, and applying conquests to private pensions, existed in the Crown, it disturbed every idea he had of the British Constitution.

The Governor further said, that Lord North had been very artful in the management of the question of the day. That he agreed with the noble Lord, he was indeed the defendant, considering what had been said on former debates, but like a second Scipio, he had removed the war from Italy to Africa, and thrown the gentlemen on that side of the House into so much recollection to defend themselves for their conduct on former occasions, that they had totally omitted saying a word to the question, which he thought very reprehensible. The noble Lord, he said, admitted that eighty-five was the natural price of the three *per cents.* in the present market; that they had only rose to eighty-eight within these eight days, since the plan of the budget came out. For this reason his Lordship proposed to exclude all who had purchased from that time. By admitting the fact of the rise, the noble Lord proved that the benefit on lottery tickets was a sufficient inducement for stockholders to accept payment, without any additional value on the market price of the stock. That by the present mode, three pounds premium was given on the stock, and the six lottery tickets at 12*l.* 10*s.* could not be reckoned at less advantage than five pounds. So that in fact, the State paid eight pounds premium on every eighty-five, which was extremely improvident. For as the money lenders in time of war exacted great premiums from the State, the publick had an equal right to pay off at the lowest rates, at which the consent of the creditor could be obtained. That the proposition for excluding

all who had purchased since the terms were known, was unjust, and the pretence held out evidently fallacious; for it cannot be supposed, if the persons about the noble Lord were inclined to gambling in the Alley, that they would have waited buying in till the stock rose. That the methods taken to avoid suspicion, did in fact create suspicion. That the pretence of making it an open subscription, leaving the management to the clerks of the Bank, had been fully refuted by the event of last year, when, though a kind of storm prevailed, in which some general officers lost their wigs and canes, yet, by a strange fatality, when the favourite names of fortune appeared, if the Bank Directors and the noble Lord had agreed in selecting them, they could not have been more exact in fixing upon their friends. The Governor said, the fair character of the persons round the noble Lord left no room for suspicion with those who knew them, but these strange fortuitous circumstances misled all others who did not; and just like the pension bestowed on his Honorable Friend (Mr. Cornwall) concerning which he had given so complete a justification, yet his change of sentiments, or rather conversion, having happened precisely at the time of receiving it, and his conduct having kept pace with the progress, men who did not know him so well as the Governor did, were apt to impute it to motives against which he had constantly been declaiming. That in case the noble Lord really meant to avoid all suspicion in the present project, there was an obvious method, that of going back six weeks, and after the subscription had been open for eight days, for the benefit of gentlemen living in the country, then drawing the names of those entitled to publick favour from a balloting box.

The Governor shewed likewise the fallacy in supposing that one million of the national debt was diminished; for, in fact, reckoning the present lottery, and the increased unfunded debt of the navy, it will be found, that in fact we had not paid off three hundred thousand pounds.

There was no division.

May 17. The House in Committee on the linen trade.

Lord Frederick  
Campbell.

**LORD FREDERICK CAMPBELL**—The long and continued attention which has been given to this affair, and the great consequences which have been supposed to result from it, have very much engaged the minds of men who have thought themselves interested. Sir, the course of evidence through which we have gone, has proved, beyond a possibility of doubt, and entirely uncontroverted, that the linen manufacture of both Britain and Ireland has greatly declined; of the causes of this decline, opinions have been various; on one hand it is asserted



to be owing to the rivalry of foreign linens; on the other, that it has been occasioned by the failures of credit. It would carry me too far to go into those matters at present. Sir, in consequence of this decline, propositions were thought of to support it, which unexpectedly raised a general and very extraordinary alarm: gentlemen concerned for the woollen and other manufactures of the kingdom were frightened, lest the great staple of the kingdom should suffer. In consequence of this unexpected alarm the propositions designed to be made were laid aside, and instead of them, I shall now make a motion, which, upon the most mature deliberation, I apprehend will meet with no opposition from any quarter: it is, Sir, "That a Bounty of Three Halfpence per Yard be given on the Export of British and Irish Linens, painted, stained, or printed." I must remark, Sir, that this is no new proposition, it was a bounty given many years ago, and not discontinued till the year 1756, for what reason I know not; it is not particular either to Ireland or Scotland, it is meant to be to British and Irish in general. This is so reasonable a point, and so little open to the opposition which was made to the supposed propositions, that I apprehend, Sir, it is impossible for any gentleman, upon such principles, to declare against it; it can raise no fears of retaliation from foreign Princes, no duties are asked for, no other manufacture can suffer; in a word, Sir, this idea goes merely to the support of the distressed manufacturers of Scotland and Ireland, who are in such a condition, that unless something is done, I know not what fatal consequences may flow from it.

LORD BEAUCHAMP—I rise, Sir, to second the motion Lord Beau-  
champ. made by my noble Friend, which appears to me to be so perfectly reasonable, and to avoid in every instance and consequence any the least evil, that I do not apprehend any opposition will be made to it. The noble Lord has mentioned propositions which were supposed to be necessary for re-instating the manufactures of Scotland and Ireland, but which have been laid aside from finding how strongly they were contested: the present idea is very small, compared to what the necessity of the case seems to require; but still that something should be done, appears so clearly, even this small matter of encouragement is wished for. I must recal to the minds of gentlemen the miserable state of Ireland, to which I shall more particularly confine myself, having opportunities, from my connections, of gaining information that can be depended upon. Sir, the decline in the great staple of that kingdom; the only staple, it has been proved sufficiently clear at your Bar: the number of looms unemployed is immense; that emigrations to America are alarming to an high degree; for let it

not be forgotten, that these emigrations are from the Protestant part of the kingdom, and consequently, that you are doubly weakened by them. When poverty and distress are coming so fast upon the most industrious part of the kingdom, that they are forced to leave it to take refuge in other countries, carrying with them their skill, their industry, and even the implements of their business; when this is plainly and uncontrovertibly proved to be the case, how any gentleman can be against giving this small assistance, in order to prevent so great an evil, I cannot readily think; and I therefore suppose, and hope, that the proposition will meet with general approbation.

Lord North. LORD NORTH—I think, Sir, that the motion of the noble Lord contains a proposition very reasonable, in its present form; the distress of the linen manufacture in the three kingdoms has certainly been proved in the clearest manner; but, Sir, I must observe one thing which I think very essential in the general enquiry, though perhaps not particularly bearing against the present proposition; it is that the gentlemen who have patronized this matter, have totally failed in the first matter which they attempted to prove; that the decline of the linen manufacture was owing to the increased importation of foreign linens; that matter has totally failed them. It has, on the contrary, been very clearly proved, from authentic papers and evidence, that the importation of foreign linens has decreased in a greater proportion even than the decline of the Scotch and Irish manufacture; consequently that part of the enquiry falls entirely to the ground. Now, Sir, as to the present proposition, considering it as an old bounty revived, for the suspension of which I see no good reason, I must own it appears perfectly reasonable; and as the bounty given already upon plain linens, being extended to the same manufacture in a more improved state, is consistent with sound principles of commerce, I shall not be against it. Indeed it appears to be rather absurd, to give a bounty upon the export of a fabric in a lower stage, and not give it upon the export when improved by farther manufacture; this conduct appears to be contrary to the first principles. But, Sir, there is a farther enquiry in this affair, which is, what damage may from this bounty accrue to our printed cottons? If it should have the effect of injuring those fabricks, it will prove a sufficient reason against it; but that must be matter of evidence. No bounty must be expected in return upon them, for they at present can support themselves without a bounty. The matter is therefore plainly this, if the proposition is perfectly reasonable, I think it should be granted, if it is proved that it will not destroy another manufacture.

GOVERNOR

**GOVERNOR POWNALL**—The proposition now made by the noble Lord, is so far short of what was expected from their intentions, and the ground for our consideration is so narrowed, that I cannot trouble the Committee with any thing on the general subject, on which I had much to say; and I shall trouble it with very little on the present question, as there can be but little said on it. Governor Pownall.

At the same time that I state how the ground now stands, it may not be improper to remind the Committee how it stood when the matter was first agitated. The avowed purposes for which this enquiry was instituted, gave great alarm to the landed interest of this country: at a time when they knew that the woollen manufacture of this kingdom had been for some time under a gradual decline (it had in the years 1772 and 1773 suffered a violent shock, and remains at present under a very critical check), they were not a little surpris'd that the linen manufacture alone should seem to demand our attention; that that branch alone should claim our relief. Jealous of this competition, and conscious of the importance of their own interest, they formed a meeting to watch the motions of this measure, and they consulted and united with the commercial interests of this country.

The gentlemen of the meeting not only attended every step of the business of this Committee, but carefully re-examined, from time to time, the whole state of the evidence given in the several papers and accounts laid before the Committee; and also that given by the persons examined at the Bar. This matter was not considered by them, nor examined in any partial view, either as to the object, or with any national prejudices. The whole state of our manufactures were considered by this meeting, as being part of the general interest of Great Britain. The ground of complaint, whereon the application has been made, was fully enquired into, the reason of the relief sought, and the effect it would have was duly weighed. If we had been convinced that there was ground whereon to state any distress in the linen manufacture, peculiar to that, and not common to the rest, we were disposed, we were determined, to give our weight; if any means had, or could have been proposed, which might give relief thereto, without hurting the woollen or other manufactures of this country, without giving further preferences against these, we wished to consider it. That which had been proposed we could not acquiesce in; nor, upon mature, dispassionate, and impartial investigation of the matter, could we find any peculiar case, as a just ground of the complaint.

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We then, in a general view, considered those principles from which the establishment of all manufactures must derive. If they are so grounded as to be profitable to the manufacturer, and advantageous to the community, they must be such as to employ the poor, to maintain those they employ, to create a stock of profitable labour in the community; and that stock should be such as may be converted to national purposes. On these grounds we examined the state of the linen manufacture.

I should here have gone into a full state of this object, its progress and advancement: it will, however, be sufficient to observe, that a fabrick, where it is not founded on materials of the land where that fabrick is established, but upon a foreign material, which comes so dear, and takes such a share of the profit of the fabrick, that a manufacturer cannot have his proportion of that profit; if the fabrick when it comes to market is to sell upon a par with other fabricks of the like nature; or if the manufacturer is to have such a share of the profit as he can live upon, and the deficiency of the price is to be made out by bounties paid by the community at large, that manufacture, however it may answer the particular local profits for a time, can never convert to national purposes in general, or upon the whole.

I should now have fully considered the nature of duties laid upon foreign linens, by way of giving preference to our own. I should have considered every encouragement that these have had, and the effect and operation of such; and should have shewn, that, contrary to the spirit of all former Parliaments, in the year 1742, the idea was first taken up, and carried into execution, of making foreign linens come dear to the poor consumer, because our own manufacturers could not make them cheap. It is, however, sufficient at present to say, that under the advantages which the British and Irish linen manufacture has had, it has increased to a very great degree, so as to obtain more than an equal share in the commerce of this country, as to the consumption of linens. Of forty-nine millions of yards of linen, which make the total amount of our commerce in this article, thirty-two millions are of British and Irish fabrick; twenty-five millions of foreign; twenty-two millions of home-made manufacture are consumed within the kingdom, seventeen of the foreign, ten millions and three-quarters of the British and Irish manufacture go into our exports, seven millions and a half only of the foreign; and this I think I may venture to affirm is a very good share of that branch of business.

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The nature of the question now proposed confines the debate simply to the article of bounties, and to those I shall now more particularly confine myself. All bounties should be only temporary, as they are only given as a help to the outset of an infant manufacture; if I may use the expression, they are as a go-cart to the infant that is not yet able to stand on his own legs; but if that child is kept too long in a go-cart, it will go upon crutches as long as it lives. Let us see how the fact stands as to this. In the year 1742, bounties were first given to the home linen manufacture, for seven years; three years afterwards they were enlarged and extended. In 1749, though the manufacture had grown up considerably in bulk, yet not having grown proportionably in strength, those bounties were continued for several years longer. The manufacture continued increasing in size and interest, but still being of a poor and weakly constitution, though it got out of its go-cart, it was obliged, in the year 1756, to be put upon crutches. As it has grown taller and taller, we have been obliged, from time to time, to lengthen out these crutches, and it will go upon them to the end of its existence.

Viewing bounties, as they state the manufacturer's account; —as they begin it with a false credit, the balances will be continually false; and they never will afterwards be able to rectify them. This is the actual state and operation of the bounties on the linen manufacture; for though they have increased under them to a very great degree, yet we are continually receiving repeated application for further and further preferences and bounties, which, however, never will be adequate to the purpose. As a manufacture, so far as it is founded on an original, radical defect (the establishing it on a foreign material, that comes too dear to be so wrought up by the home manufacturer, as to be brought to market upon the general scale of prices), must always have the balance against it. So far as a manufacture is founded on the native produce of the country where it is established, there it may be beneficial, and every encouragement that can ought to be given to it.

As to this particular bounty that is now applied for, the home manufactures did possess it, from the first establishment of bounties till the year 1756. From experience it was found to operate as a preference against the cotton manufactures of Lancashire. The manufacturers therefore of that branch, though they did not want a bounty, yet applied to have a share of this, in order to avoid that preference. The manufacturers, rather than submit to give them a share, chose to drop it; and, till the year 1770, went on very well without it. In that year they applied to have it restored to them; but it was found,

it is from a fallacious splitting of years, and then the fact is not so; but look at every year's export in their own tables, and see if any thing can speak a more clear and decisive language; take year by year, take the average of any number of years, and compare it with that of any others; draw what comparison you please that is fair, and my assertion will be found true; but as to splitting this and that year, and comparing months and weeks, it is ridiculous. This great part of the enquiry, therefore, is decisive; but, Sir, I assert that there has been no decline to authorise an application to Parliament; I assert that there is not a manufacture in this kingdom so complete in all its parts, in such good order, and so little declined as the linen manufacture of Scotland and Ireland; the great staple of the kingdom, the woollen manufacture, has reason to envy it. Every one of the clothing counties, and it is a fact which I pledge myself to prove, if called upon, are now declined in their exports more than the linen. It is the same even with the hardware; go to every manufacturing town in the kingdom, you will find the same complaints, founded on the most authentick proofs; and you will every where find the date of this distress to be June 1772. How could the linen manufacture expect to be exempt from so general, so universal a calamity? And why come to Parliament for encouragement in consequence of distress which must in the nature of things remedy itself? Would it not be a most injurious neglect of all other manufactures to single out this as a favourite one, while there are so many others that deserve your attention far more, though not noisy complainants at your Bar. I do assert, that to give such a preference would be contrary to all principles of commerce, and repugnant to common sense. There is not a manufacture in the kingdom that now enjoys such bounties as the linen; and is not a fresh and so ill-founded an application a proof that the more you do for it, the more you will be teased to do. I call it an ill-founded application, because the cause is general to all manufactures, and therefore to prove distress, which is common to every fabrick, is proving nothing to the purpose—an observation which is an answer to all the pathetick descriptions we have had of the state of Ireland and Scotland.

LORD GEORGE GERMAINE—I shall be for the present question, not because I think so inconsiderable a bounty as 4000*l.* can have any great effect, but because it will shew the people that this House gives ear to their complaints, feels for their distress, and is ready to do what it can towards their relief; I should mean it rather as an encouragement to keep up their spirits, and as a proof of our good-will, than an effective cure for their

Lord Geo.  
Germaine.

misfortunes; a light in which I have not heard any opposition of moment. But I wish the Right Honorable Member near me (General Conway) would bring the general affairs of Ireland, relative to our restrictions on their trade, before this House, that they might undergo a full revision, be duly and clearly considered; and I am confident, that then you would find it not only right, but necessary, to make some very considerable alterations in your policy of managing the trade of that kingdom.

Mr. Dempster,

Mr. DEMPSTER.—It being proved, that by granting the bounty now moved for on printed linen, no injury whatsoever will be done to the cotton manufacture, it would be mispending the time of the Committee to say one word more on that subject. It has also been proved, that those who are concerned for the woollens have nothing to apprehend from this bounty. I should not, therefore, have presumed to trouble the Committee with any thing from me, but for what has fallen from the Honorable Gentleman, who thinks the cotton manufactory will not only suffer, but will suffer by unfair means. He speaks of engagements between the cotton and linen manufacturers to make a common cause, and to accept of no advantage but what should be equally beneficial to both; this insinuation, I confess, hurts me. Engagements ought, and with me shall ever be sacred: but, in the first place, I know of no engagement. In the next, I must call the Honorable Gentleman's attention to the circumstances which have given rise to the present motion for a bounty on printed linen. Early in the session, when the Committee was moved for, the gentlemen concerned for the woollens took the alarm, and though, in my conscience, I think the alarm groundless, yet it has determined them to oppose every encouragement intended to be asked for the relief of the linen manufacture: the House is thereby divided into two parties, and in a contest between linen and woollen I need not tell the Honorable Gentleman on which side the majority lies: the balance on this, as on most other occasions, is in the hands of the noble Lord (Lord North) who sits near him. That noble Lord declares he will consent to no additional duties being laid upon foreign linen, but will concur in a bounty on printed and painted linen, if we will be contented to accept of that relief only. The state of the cotton manufactory not being before the House, and there appearing no necessity for a farther encouragement to it, the noble Lord, as administrator of our finances, does not think himself warranted to bestow upon it any of the money of the state. In this situation of things, does the Honorable Gentleman really think the friends of the linen manufacture could either refuse the assistance

ance offered by the noble Lord, or contend for its extension to cotton? I am persuaded he does not; and I trust we shall stand justified in his opinion for the conduct we have held.

Another circumstance, not adverted to by the Honorable Gentleman, is the very different state of the present laws relative to linen and cotton printed cloth manufactured at home. As the law now stands, no printed cotton, other than the manufacture of Britain, can be worn in this kingdom. The wear of all others is forbidden by positive statute. The cotton therefore, already enjoys a monopoly over the whole island; the law admits no rival to it; but printed foreign linens may be lawfully worn at home as well as printed British and Irish linens. Give us the exclusive sale at home, and I will answer for it, the noble Lord will withdraw his motion for this paltry bounty, and be well satisfied with the exchange.

Sir, I must say a few words on the doctrine maintained in the present debate by other gentlemen who oppose this motion; I do not hope thereby to make many converts to my opinion: gentlemen have taken their sides; the fate of the day is already determined: but I have often observed that truth finds its way at last in this House; and however imperfectly I may explain myself to the Committee, if what I advance be true, I have no doubt it will strike other gentlemen who have more abilities and better talents, and more authority to enforce useful truths than I can pretend to. I have heard it frequently asserted in the course of this proceeding, that there may be danger in encouraging our own manufactures; that those of foreign states deserve a preference to them; and that, to promote the sale of your woollens abroad, you should discourage the increase of every manufacture with which such foreign states can supply you in return for your woollens: and it has been particularly urged as an argument against encouraging the linen manufacture, that the raw materials of which it is made come from abroad; and that the manufacture is not a natural one. Sir, if these doctrines are true, I am to learn my rudiments of the policy of this commercial kingdom. Hitherto I have understood, that the acquisition of a new manufacture, or the encouragement of an old one, were favourite objects with this House: that whoever applied to you for either of those purposes never failed of obtaining your approbation, nor of receiving your assistance. Could the petitioners shew that a sufficient quantity could be made at home to supply our consumption, you would grant them a prohibition on the foreign; but if the manufacture was (like the linen) of slow growth, then you contented yourselves with imposing, by way of regulation, such duties as would give in the market a clear preference to the home manufacture.

Formerly,



they gained it, Ireland lost it, and you got not sixpence by your folly. It needs no argument to prove this absurdity, and the fact is known to all the world. The Irish woollen manufacturers went with their art to France, and the linen manufacturers are now going in a similar manner to North America, taking their machines with them; a plain proof of what they intend shall be their employment there. Sir, the state of that kingdom is deplorable, one-third of the linen manufacturers are out of employment, or have emigrated. The distress is universal, the poor are starving, the rents of the lands are fallen and daily falling; in a word, the whole kingdom is in distress. Is it not easy to see that the consequence of such a state will be a general impoverishment? And it well becomes gentlemen to reflect, that in proportion as Ireland grows poor, for want of encouragement in her linen manufacture, in just such proportion must the woollen manufacture of England suffer, for want of ability in Ireland to buy her cloths. This must drive the Irish to manufacture wool for their own consumption, from the inevitable necessity arising from not being able to pay for any other. Hence, therefore, the prosperity of the woollen trade of England materially depends on that of the linen manufacture of Ireland. It has been urged that the decline is owing to the failure of credit; but its being felt before that failure, is answer enough to that assertion, and no other cause except the rivalry of foreign linen was ever thought of.

Mr. Rose  
Fuller.

Mr. ROSE FULLER—I rise, Sir, only to say a word or two on the point of the rents of Ireland falling.—I am very glad to hear it; for the distress of that country is owing more to the rapacity and tyrannical conduct of landlords, than to the decline of the manufacture, as was fully proved at your Bar, when you heard the emigrations consisted as much of husbandmen as of manufacturers. Besides, Sir, this cause might as well drive away the latter as the former, since most of the manufacturers are occupiers of land.

Mr George  
Yonge.

SIR GEORGE YONGE—The great points which ought alone to influence our determination at present are, whether the decline of the linen manufactures is owing to the import of foreign linens. Now, Sir, there never was an axiom in geometry more clearly proved than the contrary position; and this not from opinions, but authentick Custom-house tables, which the very friends of the measure themselves produced; the import of linens is lessened more than their manufactures; in a word, it is a point that will admit of no debate. What the Right Honorable Gentleman says, of the manufacture feeling the decline before the failure of credit, will not hold water; it

can alone produce prosperity to the separate parts of the state.

The noble Lord (Lord North) who spoke, though faintly, in support of this resolution, said he did not attend the examination of the evidence concerning it; but from what he had seen on your minutes, he was clearly of opinion we had not proved any case: with all due deference to the noble Lord, I am inclined to think he has not attended much more accurately to your minutes than he did to the examination of the witnesses, otherwise I question much if he would have hazarded so strong an assertion. I will not go deeply into this point, Sir, but I must insist upon it, our case is too clearly proved. I shall only mention two facts, which came out from the witnesses of the adverse party: all of them, Sir, informed you, that dowlas, or shirting for the lower class of the people, was imported from abroad, and sold here of a better quality, and at a lower price, than that which is manufactured in England. What else does this prove, Sir, but that either additional duties must be laid upon the foreign dowlas, or your own manufacture of it be undone? and this, Sir, is neither a Scotch nor an Irish manufacture, but an English one, in which twenty or thirty thousand people have formerly (though not now) been employed. The same witnesses proved, in regard to diapers, that all diapers, at and above 45 inches, were entered at the same duty; and that, under this denomination, diapers were introduced from abroad as wide as 60 and 70, nay 80 inches. Does this abuse require no remedy? or would it be wrong to correct so gross a defect and oversight in your present law?

And now, Sir, in regard to Ireland, I shall say but two words: your faith is solemnly pledged to that kingdom, and you are bound to give every encouragement to its linens, which you think fit to give to your own. It is a right they have purchased dear; for a full and most valuable consideration. They have, Sir, by Acts of their own Parliament, stifled and suppressed a most prosperous manufactory of woollen cloth, which their own wool, and the low wages of that country, would have enabled them to carry to a prodigious height. I speak it with regret, but truth obliges me, compels me to declare, that as in this instance Parliament seems determined to treat them with unkindness, so on former occasions it has treated them with injustice.

I beg pardon, Sir, for having intruded so long on the patience of the Committee: I shall conclude with reminding you, that the fate of thousands of our most industrious and poor fellow-subjects depends upon the issue of the present question. For though the bounty moved for will not be complete relief,

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it will at least be some comfort to them. I shall therefore, Sir, give my hearty vote for agreeing to the resolution moved and seconded by the two noble Lords.

The question being called, the House divided; for the bounty 129; against it 63.

May 26. This day came on the first reading of the Bill to establish a Government in the Province of Quebec; sent from the Lords.

**RT. HON. T. TOWNSHEND**—As it may seem a little extraordinary, that I, who for so many sessions have been calling on the Ministers to give a Government to Canada, and reproaching them with its not being done sooner, should now, that a Bill is brought in for doing it, be the first to oppose it: as this, Sir, may seem more inconsistent than it is, I think it necessary to explain the reasons for this apparent contradiction. When I called for a government of Canada, little did I think I was calling for a despotism for Canada; little did I think that I was calling for an immense country, not belonging to Canada, being included under the despotism; little did I think that I was calling for a numerous people being deprived for ever of all those blessings of freedom which were held out to them, and promised them. Sir, I shall not enter into particulars, without apologizing for doing it in this stage of the Bill; but really, I think it so replete, that I cannot vote even for reading it at all.

The Bill establishes a despotick Government in that country, to which the Royal Proclamation of 1763 promised the protection of the laws of England. I call it despotick; for so in fact it is, as the Council of 17 or 23 is, with the Governor, the legislative authority of the province. This Council the Governor can appoint, suspend, and turn out at his pleasure: there is no quorum appointed—for what purpose omitted, no one can tell. Now, Sir, this is rendering the Governor securely absolute: you had much better have made him literally so, and then he would not have had a Council to screen him: he is responsible in England, if he acts tyrannically; but by means of this convenient Legislative Council, he can do any thing with impunity.

Well, Sir, not content with constituting this Legislative Council, the mere creature of a Governor, who must necessarily be the creature of a Minister, you go farther, and throw under this absolute power a country never considered as Canada, and peopled by British subjects alone; for you extend the government to the Mississippi on the West, to the Ohio on the South, to Hudson's-Bay on the North, and on the East to  
God

God knows where; for no mortal can tell from the Bill where the Eastern boundaries are, so exceedingly indefinite and unintelligible is the Bill. I should be glad to know for what purpose the colony is thus amazingly extended.

In the next place, Sir, the internal arrangement of the colony consists in leaving the inhabitants the civil law of France. You take away the trial by jury, in civil matters, and you cut off the *habeas corpus* from them. Thus, in giving a government to the Canadians, you deprive many British-born subjects, residing in countries where they never dreamed of such innovations, you deprive them of the dearest birth-rights of Britons. And as by this Act all commissions to the legal magistrates are revoked, I suppose, the province is to change her present excellent Chief Justice for a new one to be appointed. It is for these reasons, Sir, and for others, which I am clear will suggest themselves to all the Members of the House, that I shall give my hearty negative to the Bill.

LORD NORTH—I wish to give the Right Honorable Member all the satisfaction in my power upon this measure. Respecting the government given to the province, the Honorable Gentleman objects, I suppose, to an Assembly not being appointed. The reason why a Council alone, appointed by the Governor, was preferred, was the small number of English settlers who must chuse that Assembly, in order for their Acts to govern and bind all the French and Roman Catholick subjects. This, Sir, was thought to be very unequal, and even cruel, to have an Assembly, chosen by so small a body, govern so large a one; and if the business is considered maturely, it will, I believe, be found much the most conducive to the happiness of the people. Next, Sir as to the extent given to this colony; it takes in no countries regularly planted by British settlers, but merely distant military posts, at present, without any government but that of the respective Commanding Officers. Now, the question here is merely this, Will you annex them under the present government? Will you leave them without any government? or will you form separate governments and colonies of them?

It was thought by the Lords, that the plan in which were fewest inconveniences, was to throw the scattered posts to the Government of Quebec. As to the civil law of France being left to the Canadians, it was thought more humane to them than to change it for a new law, of which they must be entirely ignorant, as the trial by jury, in criminal matters, is given them. The present officers in the province were not meant to be changed, most certainly.

Mr. DUNNING—I cannot omit this opportunity of giving Mr. Dunning my hearty protest against a Bill, which, in my conscience, I think

think destructive of every principle of freedom, and abounding with mischief of a most serious tendency. Sir, I shall beg leave to follow the noble Lord in the reply he has given to the Honorable Member who stated his objections to the Bill; a reply which by no means answers those objections; on the contrary, they appear to me to remain in full force; and in endeavouring to do this, I shall divide what I have to observe into two considerations: first, the consequences which will attend this Bill if it passes, in case Canada should ever be restored to France, an idea which by no means hurts me; for if it should pass, I must own I should as soon see the one sovereign reigning there as the other; I mean, it will be of little consequence to the people, and they will be as free in one case as in the other. My second consideration will be if the province should remain to England.

Consider what it was for which you engaged in the last war, encroachments of the French upon our Colonies; they passed down their rivers, they seized upon large tracts, and built forts about this very country to the southward of Canada, claiming it as a part of Canada. You repelled force by force; they offered to you to withdraw from the South of the Ohio, and retire to the North, making that river the boundary of the two colonies. No, you replied; the river of St. Lawrence is the boundary of Canada; we will admit of no other; the tracts which you claim are parts of our Colonies of Virginia, Pennsylvania, &c. and we cannot grant away the certain and undoubted rights of our subjects in such a manner. This refusal brought on the war; and in case a future war should happen, in which your arms do not succeed in the manner they did in the last war, you may then find yourself treating upon the re-cession of Canada to France; will not the French demand the cession of Canada as you limit it by Act of Parliament? Will they not say, you have, by a solemn Act of your whole Legislature, proved to all the world, that in the dispute of limits at the opening of the war we were right, and you wrong; you have chalked out the very limits to it, which we insisted on; and you have confirmed them by an Act of Parliament, how therefore can you, with any propriety, talk of restoring any thing less than what we always claimed as Canada, and what you have since solemnly adjudged to be Canada? And this, I think, in a negotiation, may be attended with most serious consequences.

Next, Sir, supposing you preserve the possession of it, let us consider the consequences that flow from this Act; you throw at once the whole people of that Colony into an arbitrary power, for such is that of your Governor, as it has been

been well stated; and you not only do this to the Canadian subjects, but, by giving to the new province this monstrous Southern extent, you run it down upon the back of the planted part of many of our Colonies, and take away, by one stroke, the charter properties confirmed by Act of Parliament of those Colonies; you violently seize their rights, and the people who pass the mountains to settle on the Eastern side of them, will immediately find, that by going to live in what they ever esteemed their direct property, they find themselves gone from the freedom of the British Constitution, and meet with all the power of despotism. This is not only a cruel, violent, and odious measure, but it tears up justice, and all its principles, by the root. To think that the inhabitants of those countries, settling in them under the protection of this free Government, and assured by law and Parliament, that they settle under the liberty of their old charter Constitutions, finding themselves, by crossing an imaginary line, deprived of the dearest rights and privileges of English subjects, is a most tyrannical and inhuman conduct. It is sporting with property in a manner that cannot be defended, and for attaining no end whatever that deserves attention.

The noble Lord has said, that the great excellencies of this Constitution are the criminal law and the political law; both of which are given to Canada; but will the noble Lord say, that these include every thing an Englishman ought to value himself upon? Does he think the trial by jury in civil points has nothing in it worth contending for? and by this Act that trial is taken away. Does he think the *habeas corpus* nothing? Where is the Englishman that would not fall into an agony, if he understood that he was certainly to be deprived of those two bulwarks of his personal security, and his property?

ATTORNEY GENERAL—Respecting the ill consequences <sup>Mr. Thun</sup> that may flow from enlarging the province of Quebec, in case of <sup>low</sup> being forced by a future war to restore it, I cannot see that in the same light as my Learned Friend; because I think that the limits and importance of cessions are never dependent upon such arrangements as these, but upon the length of the sword: it is success in the war that gives success in the peace, and by no means the imaginary lines drawn by a state in its Colonies: nor has the limits now drawn any thing to do with old Canada; it takes in countries never claimed by France: it is a new scheme, and by no means the restoration of those old limits the French once contested for.

With regard to the supposed cruelty of not giving the Canadians the same laws in every instance as we enjoy in England; I am so far from being of the same opinion, that I think you

could not act more cruelly to that people, than to change at once their law of property, and give them our trial by jury, which is necessarily giving our law of actions. I am clear it would so completely confound them, as to be more tyrannical than can be easily imagined. They would not understand the rule of their own actions; they would not know on what principles they stood possessed of their own property. In a word, you would give them the greatest curse, under the notions of a blessing. There is not a circumstance dearer to a man, nor one which he ought to be more jealous of, than to be tried in all points by laws to which he has been used, and whose principles are known to him.

Col. Barre. COLONEL BARRE—I cannot agree that there is any thing in the laws of England, in the trial by jury, and the *habeas corpus*, that the Canadians would not very easily understand; and it is preposterous to suppose, that the superiority of good and just law, and freedom, should not be felt by people, because they had been used to arbitrary power. But why is the religion of France, as well as the law of France, to become the religion of all those people not Canadians, that pass out of one colony into another? By this Act you establish the Roman religion where it never was established before, and you only permit the practice of your own; you do not so much as let them go hand in hand. For what purpose is the Illinois and the Ohio to be Roman Catholics? Why is that to be made the established religion of that vast country, in which are very many English settlers?

May 31. The House in a Committee. A motion was made by Mr. COOPER, "That the following duties on imports into the province of Quebec, be applied to the support of the administration of justice in that province, and the surplus to remain at the disposition of Parliament, viz.

Three-pence a gallon on British spirits.

Six-pence a gallon on rum from our other Colonies.

One shilling a gallon on other rum and spirits.

Three-pence a gallon on molasses and syrups.

One pound sixteen shillings on all licences to publick houses."

Upon these passing, the House went into the Canada Bill.

Mr. BAKER brought up a Petition from Messrs. Penn, proprietors of Pennsylvania, setting forth, That the new limits given to the province of Quebec, would essentially injure their properties, as a considerable part of the province of Pennsylvania was situated on the North-west side of the river Ohio, which is all taken into that of Quebec.

Lord North. Upon the Petition being read, LORD NORTH arose and said,

said, That he should not think of opposing it, as it was never the intention of the Bill to affect the just rights of any proprietors, or of any Colonies.

Mr. MACKWORTH—The Petition which I have in my <sup>Mr. Mack-</sup>hand, is from the merchants of London trading to Quebec, who <sup>worth.</sup> finding that a Bill is about to pass this House, which they apprehend will essentially injure them in their commercial transactions with that Colony, rely on the justice and the candour of this House to take their case into consideration. As to the merit, Sir, of the Bill, which is now coming before us, I must make this general observation, that a Bill which has confessedly taken nine years for Administration to consider of effectual means to remedy the evils complained of; such a Bill, Sir, surely will demand more time than a few days for the Members of this House, to judge in what manner to give their vote. Information is what we want. I know not what opinion I am to form upon the necessity which can call for such a Bill, and for want of that information which ought now to be before the House. I cannot but condemn most sincerely several arrangements in the Bill, which seem destructive of that liberty which ought to be the ground-work of every Constitution formed by this House; but I cannot judge what are the causes which call for such measures, while I remain so uninformed as at present. There were reports from the Board of Trade to the King in Council, upon the state of the province; there were representations from men in the highest offices in the provinces, upon the proposed constitution to be given to it; there were opinions in writing from the Attorney and Solicitor General, upon the plans proposed: these papers would, if laid before us, give that information which we want, and without which it will be impossible for us to give any other than blind votes, which will, from every thing that we can at present see in the Bill, establish a most fatal system of government in that country.

Mr. T. TOWNSHEND—As this is not the proper time for <sup>Mr. T.</sup>going into the principles of the Bill, I shall confine myself to <sup>Townshend</sup>the absurdity, to say no more of it, of bringing in a Bill of such magnitude and importance so late in the sessions, without previously laying upon the table the necessary information; at present we have none; and if the noble Lord means that we should know the subject upon which we are to debate, he certainly will not object to giving us that information, without which we cannot proceed with propriety. Let us, in the name of common sense, see what are the complaints of the Canadians against their present Government, what are their distresses,



es, what their desires; and let us see the opinions of the great Law Officers which have been given upon this point.

**LordNorth.** **LORD NORTH**—I shall oppose the calling for those papers, they will take some time in copying; there have been several reports from the Board of Trade, which are long, and if we wait for addressing the Crown to lay them before us, the season will be delayed too late, and for no purpose, as we may have the same information at our Bar. The Governor of the Province I see at the bottom of the House, who may be ordered to attend when you go into the Committee; Mr. Hay, who is Chief Justice, is near Canterbury, and may be ordered up; and Mr. Maferes, who was Attorney General of that Province, is also in London; as to the Attorney and Solicitor General, we have them amongst us; therefore I do not see but we may have just as good information in this manner, and much more expeditiously, than by addressing for the papers.

**Col. Barre.** **COLONEL BARRE**—I think there will be very little difficulty in shewing, that the proposition now made by the noble Lord will be very far from answering the purpose of those who wish for full information on this subject. The papers we now call for would give us that information; those papers are drawn up coolly, attentively and upon long and mature consideration; and they have been drawn up at leisure by men of great character and abilities. Now, Sir, the noble Lord will not, he cannot assert with any appearance of justice, that calling those men to your Bar, to be questioned in the desultory manner common upon those occasions, and in the midst of the contention between those who patronize the Bill, and others who condemn it—will he tell us that this is such information as we should receive from the papers referred to? It is impossible. As to the two great Law Officers who are present, I admit that their standing in their places, and reciting the opinions they gave would be satisfactory; but then they ought simply to inform us what those opinions were, and not to enter into the debate on the merit of the Bill at the same time, or by a side wind to warp information concerning a past fact into an opinion of a debate in question. That satisfaction should be made the House on these points nobody can doubt; for to tell us that we cannot have information for want of time to copy papers, is to tell us plainly that we are to proceed in the dark; it is and will be a deed of despotism, and therefore may well be linked with darkness. I wish it to be the deed of a single hand; it is a proper exertion of arbitrary power, in which the less concern Parliament has, the better. Intelligence must be kept

kept from us because it will not bear the light; if it was openly and fairly laid before you, it would condemn in the strongest and clearest manner the principles and the provisions of this Bill, all of which it would be found are equally unnecessary and pernicious.

ATTORNEY GENERAL—My opinion, and that of my <sup>Mr. Thurg.</sup> learned Colleague, were in writing, and lodged among our <sup>low.</sup> state papers; nor have we any right to read them in our places as Servants of the Crown. No person, without his Majesty's consent, has a right to them.

Mr. E. BURKE—I am very sorry to find from the turn <sup>Mr. Edm.</sup> which the debate takes on the other side of the House, that <sup>Burke.</sup> we are to have no satisfaction relative to the information which every man of common sense must think necessary on this occasion: this is a fresh reason for condemning the Bill, since if Administration thought their conduct in this Bill would bear the light, why, they would give you light to view it in, and rejoice in the opportunity of giving such a proof of their abilities and moderation. For what purpose is it that you would precipitate this affair? You have been nine years considering, weighing maturely, and reflecting perpetually upon what government should be given to this province: what harm can arise from a delay of a single year? What prodigious mischief is to result from the government of the province continuing one year more in the present situation?

Mr. Mansfield, counsel for the merchants of London, petitioners against the Bill, was called in, who, after a long speech, setting forth the dangerous tendency of the Bill, desired leave to call in Edward Watts.

He being accordingly called in, was asked a considerable number of questions by Lord Barrington, Lord North, Lord Clare, Lord Carmarthen, Col. Barré, Capt. Phipps, Mr. W. Burke, Mr. Mackworth, Gov. Johnstone, Mr. Hopkins, &c. as to the French and English laws in Canada, and to which the inhabitants gave the preference? He answered, the English laws.

The Solicitor General desired to know—If the Canadians did not at first object to the Court of King's Bench being established in Canada, and for what reasons? He answered, "On account of the exorbitant fees paid to counsellors and attorneys." (The answer being so exceedingly severe on the author of the question) the House was in a laugh for full ten minutes.

After he withdrew, Mr. Samuel Morin was called in, and likewise spoke in favour of the English laws being exercised in Canada; they both mentioned that the Canadians, as well as the

the English residents there, highly approved of trial by jury, and seemed to think that an annihilation of that right would greatly hurt the Colony. The former of the witnesses had been nine years resident in Canada, the latter eleven.

A motion was made that an Address be presented to his Majesty for a copy of the report made to his Majesty by Lieutenant General Carleton, relative to the state of Quebec. But it was carried in the negative, Ayes 46, Noes 85. A motion was afterwards made for another Address for copies of papers presented to his Majesty, by his Majesty's Advocate General, Attorney and Solicitor General, relative to Quebec. This was also carried in the negative, upon a division of 85 to 45.

June 2. The House in Committee on the Quebec Bill. General Carleton called in and examined.

Mr. Mackworth. What was the proceedings and course of justice in Canada, when you first went there?

General Carleton. There is a Court of King's Bench, and a Court of Common Pleas, in which the proceedings are in the English form.

Mr. Mackworth. Did the Canadians express a dislike to the distribution of justice in that form?

Gen. Carleton. In some things they did, in others they did not. I never heard them express a disapprobation of the criminal law of England; but in relation to the law in civil trials, they have disapproved it greatly.

Mr. Mackworth. Did they disapprove the trial by jury?

Gen. Carleton. Very much; they have often said to me, that they thought it very extraordinary that English gentlemen should think their property safer in the determination of taylor, shoe-makers, mixed with people in trade, than in that of the Judges.

Mr. T. Townshend. But if they had juries such as they approved of, would they then object to the English civil law?

Gen. Carleton. Their objections to that law are very numerous; they do not know what it is; and they expressed great apprehensions at being governed by a law of which they were ignorant: they also complained of the proceedings of the Courts being in a language they did not understand.

Lord North. Did the General hear them complain of the want of the trial by jury in civil causes?

Gen. Carleton. Never. Though I have heard the same men praise the English law in points wherein it favoured their own causes, who at other times were much against it.

Lord North. Did they express wishes of having an assembly?

Gen.

Gen. Carleton. Very much the contrary. In the conversation I have had with them, they have all said that when they found what disputes the other Colonies had with the Crown, upon account of Assemblies, they would much rather be without them; and when they supposed that an Assembly, if they had one, would be chosen from the old British subjects only, they expressed an horror at the idea of one.

Lord North. Does the General know the proportion of old subjects to those of new ones in Canada?

Gen. Carleton. The Protestants in Canada are under four hundred; about three hundred and sixty; but the French inhabitants, who are all Catholics, amount to one hundred and fifty thousand.

Lord North. Are those three hundred and sixty, men of substance?

Gen. Carleton. Much the greatest part of them are not. There are some that have purchased seignories, some in trade, and some reduced soldiers: but the majority are men of small substance.

Mr. Jenkinson. Is there much intercourse or communication between those three hundred and sixty and the rest of the province?

Gen. Carleton. Very little.

Lord North. Are those people, upon the whole, proper and eligible for an Assembly to be chosen from them?

Gen. Carleton. I should apprehend, by no means.

Mr. Phipps. What is the extent of the cultivated and populous part of Canada?

Gen. Carleton. About three hundred miles.

Mr. Phipps. Are there any populous settlements detached from that line, at a distance?

Gen. Carleton. None of consequence.

Mr. Phipps. Is the cultivation of the lands and the trade of the province much increased since the conquest?

General Carleton. Very much.

Lord North. Does General Carleton attribute that increase to the introducing of the trial by jury and the English law?

General Carleton. By no means.

Mr. T. Townshend. To what then does the General attribute it?

General Carleton. To the change of a state of war to one of peace; the government was before extremely military; and military expeditions ever going on to a distance, great numbers of men lost, population hurt, and the people taken from the culture of the earth for those purposes. This change (for they have now enjoyed above ten years peace with none of the inha-

bitants taken for the military) has wrought the increase of people.

Mr. Turner. Has not the increase of trade and wealth been much owing to the free export of corn?

General Carleton. I take it to be owing to the increase of people.

Mr. Turner. Was not the increase of cultivation owing to the export?

General Carleton. The cultivation I attribute to the increase of people. There must be the people before there could be the cultivation.

Lord North. Does the General know any thing of a *Monf. Le Brun*?

General Carleton. I know him very well. He was a black-guard at Paris, and sent as a lawyer to Canada: there he gained an extreme bad character in many respects; he was taken up and imprisoned for a very filthy crime with children of eight or nine years old; for this he was fined, I think, 20*l.* but being unable to pay it——

Mr. T. Townshend. I desire the General may withdraw. [He withdrew.] Sir, I know not what use is to be made of this part of the evidence; but sure I am it is a most unprecedented thing, and such an one, as an independent Member of Parliament, I cannot see and hear without interrupting it;—you are criminating a man unheard—not before you—and with whom you seem to have nothing to do.

Lord North. This *Monf. Le Brun* has come over from Canada to make representations that it is the general opinion, desire, and wish of the Canadians to have an Assembly: I thought it right to know how likely he was to know the opinion of that country; and what degree of dependence could be placed in his testimony—but I shall ask no more questions concerning him. [The General called in again.]

Mr. Phipps. Were there any other objections to the English law than what the General has mentioned?

General Carleton. I recollect an instance against the criminal law. Some Canadian and English gentlemen were apprehended for a crime, and laid in gaol;—the whole province supposed them innocent, and the jury found them so; the nobility complained, that by our law they were punished by a severe imprisonment, which, in the French law, they would have escaped. This made a great impression upon them, and prejudiced them very much against even our criminal law.

Mr. Maferes called in.

Solicitor General. What form of government have the Canadians expressed themselves most desirous of?

Mr.

Mr. Maferes. They have no clear notions of government, having never been used to any such speculations. They will be content with any you give them, provided it be well administered.

Mr. Mackworth. Have they expressed any dissatisfaction at the trial by jury in criminal matters?

Mr. Maferes. They like it very well.

Mr. T. Townshend. Do you know that they have any objection to the same trial in civil cases?

Mr. Maferes. Certainly they have; but they principally consist in the expence and trouble of that attendance. Were they allowed a compensation, I should apprehend they would be well satisfied in all cases; and I think so small a sum as five shillings a man would do for that purpose.

Solicitor General. Does Mr. Maferes think that they would be pleased with the abolition of their old customs by the introduction of our civil law?

Mr. Maferes. A total abolition of their customs relative to descents, dower, and the transfer of land, would be highly offensive to them. In other matters I believe they would be very well satisfied with the English laws.

Mr. Mackworth. Would they have any objection to the law of *habeas corpus*?

Mr. Maferes. It is impossible that any people should object to that law.

Mr. T. Townshend. Did not the Canadians think themselves promised, by the proclamation, the benefit of an Assembly, and do they not now desire to have it?

Mr. Maferes. As to an Assembly, they have a very confused idea of what it is; the generality of the people have no desire to have it, for they know not what it is; but there are a few among them who have considered the matter, and they would prefer an Assembly.

Mr. Mackworth. Does Mr. Maferes think that the provisions of this Bill for the government of Canada are the freest that could with propriety be granted?

Mr. Maferes. Certainly not; I have sufficiently explained to the world how I think there might have been a judicious mixture of law for the free government of that province.

Mr. Dunning. Is Mr. Maferes acquainted with the laws of Canada?

Mr. Maferes. I have some slight knowledge of them.

Mr. Dunning. As by this Bill resort is to be had to the laws of Canada, and not to the laws of England, in all matters of property and civil rights, I would ask Mr. Maferes, whether the Governor of the province will not have a right by the laws

of Canada, if this Bill should pass, to issue a *lettre de cachet* to imprison any of the King's subjects in the province?

Mr. Maferes. I believe he would not have a right to imprison persons by *lettres de cachet* signed by himself; because I have always heard that no *lettres de cachet* are ever used for that purpose in France, or the French dominions, but such as are signed by the French King himself. But I have also been told, that blank *lettres de cachet*, ready signed by the King, are sometimes given to Governors and Intendants of provinces, to be used by them as occasion shall require.

Mr. Dunning. I desire then to know, whether if *lettres de cachet*, signed by the King, were to be delivered to the Governor of Canada, after this Bill shall be passed into a law, these *lettres de cachet* might not, in Mr. Maferes' opinion, be lawfully made use of by the Governor, to imprison the King's subjects in that province?

Mr. Maferes. [After some pause.] I think they might.

Mr. Solicitor General. I desire to know of Mr. Maferes, upon what principle of the French law he supposes the authority of issuing *lettres de cachet* to be founded?

Mr. Maferes. I do not know. It seems probable, that it was at first an usurped authority. But it is now constantly practised, and acquiesced in throughout the French dominions, and is therefore now understood to be the legal prerogative of the Crown of France, whatever might be its origin.

Mr. Solicitor. Mr. Maferes does not rightly apprehend my question. I will explain myself. I want to know in what capacity the French King is supposed, by writers upon the French laws and government, to act, when he issues a *lettre de cachet*?

Mr. Maferes. I do not yet thoroughly comprehend the question.

Mr. Solicitor General. I mean to ask whether Mr. Maferes does not understand the King of France to act in his legislative capacity, when he issues one of those letters?

Mr. Maferes. I have never yet considered the relation between a *lettre de cachet* and the legislative authority. It may perhaps be on that authority that the right of issuing those letters is grounded, or said to be grounded. I cannot say to the contrary. Yet there seems, at first sight, to be a considerable difference between a law and a *lettre de cachet*; since a law is generally understood to be a previous declaration of the will of the lawgiver, or lawgivers, whether one or many, upon a particular subject, with penalties annexed to the breach of it, when so previously declared; whereas a *lettre de cachet* is a sudden exercise of power without such a previous declaration of the will of the legislator.

Mr.

Mr. Solicitor General. Though Mr. Maseres has not considered it in that light, yet it is certain, that the French King's power of issuing *lettres de cachet* is generally understood by the writers on the French laws and government to be a part of his legislative authority, by which he provides for the sudden emergencies that occur in government, as he does by the more formal kind of laws for the usual business of the state. And, consequently, as the King of Great Britain has not in himself alone the legislative authority over this kingdom, and the other dominions of the Crown, but this authority belongs to the King and the two Houses of Parliament conjointly, this power of issuing *lettres de cachet*, in the province of Quebec, which had formerly belonged to the French King, by reason of his being the sole legislator of that country, cannot, by this revival of the laws of Canada, accrue to the King of Great Britain, who is not the sole legislator of it, but only to the King and the two Houses of Parliament, who are so. I dare say Mr. Maseres must now see this matter in the same light that I do, and be convinced, that no *lettres de cachet* can legally be used in Canada, by virtue of this Act.

Mr. Maseres. This reasoning may perhaps be just. It is so new to me that I cannot undertake just at present to form a judgment of it. But though it should be just, and, in consequence of it, the use of *lettres de cachet* should not be legal, yet I cannot help thinking that, if they were used, the subjects against whom they were employed would be without any legal remedy against them; for, if a motion was made on the behalf of a person imprisoned by one of them in the Court of King's Bench in the province, for a writ of *habeas corpus*, or any other relief against such imprisonment, the Judges would probably think themselves bound to declare that, as this was a question concerning personal liberty, which is a civil right, and in all matters of property and civil rights they are directed, by this Act of Parliament, to have resort to the laws of Canada, and not to the laws of England, they could not award the writ of *habeas corpus*, or any other remedy prescribed by the English law, but could only use such methods for the relief of the prisoner as were used by the French courts of justice in the province during the time of the French government, for the relief of a person imprisoned by the Intendant or Governor, by a *lettre de cachet* signed by the King of France. And such relief would, I imagine, be found to be none at all. Therefore, if it is intended that the King's subjects in Canada should have the benefit of the *Habeas Corpus* Act, I apprehend it would be most adviseable, in order to remove all doubts and difficulties upon the subject, to insert a short clause for that purpose in this Act.

Lord



Lord North. I desire to know of Mr. Maferes, whether he does not think it would be criminal in a Governor to make use of any such *lettres de cachet*, and in a Minister of State to advise the King to sign them; and whether they would not be punishable here in England for doing so?

Mr. Maferes. If the *lettres de cachet* should not be in themselves illegal, I do not see how the Governor could be punished in the courts of law for making use of them, nor the Ministers of State for advising the King to sign them. The use of legal powers is in general no crime. Indeed if legal powers are employed to bad purposes, there is one method of proceeding against the persons concerned in such abuse of them, and but one, and that is by impeachment by this House before the House of Lords. But this is an operose way of proceeding, and out of the common course of things. So that if the issuing *lettres de cachet* should not be absolutely illegal when this Bill shall be passed into an Act (and I am still inclined to think they will not be so), the poor objects of them may linger a long time in prison, indeed one may say indefinitely, without any legal method of redress; therefore a short clause to establish the *Habeas Corpus* Act in the province seems to be highly expedient.

Lord North. I would ask the witness one question more before I sit down. Does he think it probable that, if this Bill should pass into a law, such *lettres de cachet* would be made use of?

Mr. Maferes. I do not think it probable that they would be used.

Mr. Hey, Chief Justice, called in.

Mr. Mackworth. Does Mr. Hey think that the Canadians are well satisfied with the trial by jury in criminal matters?

Mr. Hey. They are well satisfied with it.

Mr. Mackworth. Would they not be also satisfied with the same trial in civil matters?

Mr. Hey. Under certain regulations they might: for instance, if the unanimity required in England was dispensed with, and a majority of two-thirds of a jury of thirteen or fifteen was sufficient; and if they were allowed some compensation for the expence and trouble of attendance; also if the trial by that mode was optional in the parties; under these regulations, I apprehend, they would be very well satisfied with that mode of trial in civil as well as criminal cases. Half the year in Canada all business is stopped by the climate, which makes them much the busier the other half, and at that season they consequently find the attendance as jurymen a burden.

Mr. T.

Mr. T. Townshend. Would they wish for and approve the other parts of the English law in civil matters?

Mr. Hey. They are very little acquainted with the English law, and from their ignorance of it, would be very much against its establishment. They are tenacious of their ancient laws and customs, and would esteem a total change a great injury to them.

Mr. Baker. Would they esteem the *Habeas Corpus Act* an injury?

Mr. Hey. I cannot imagine that any people would be so stupid as not to esteem it a benefit.

Mr. T. Townshend. Would not the Canadians think an Assembly also a great benefit?

Mr. Hey. Very far from it: they are too ignorant a people to understand the value of a free government: they are exceedingly obedient; would obey the King's commands let it be what it may: if he ordered an Assembly to meet they would go, but they would not know what to do when they came there: the fact is, they are not capable of that government; they do not expect it: it is contrary to all their ideas, to all their prejudices, to all their maxims: their idea of a House of Assembly is that of a house of riot and confusion, which meets only to impede public business, and to distress the Crown; all which is a system extremely contrary to the ideas and principles of the Canadians.

Mr. T. Townshend. Did Mr. Hey ever hear of a plan or representation of what government would probably be successful in Canada?

Mr. Hey. There was a commission from his Majesty to Governor Carleton, the Attorney General, and myself, to draw up a report of that government which would be most proper for Canada. In that deliberation I had the misfortune to differ in opinion from Governor Carleton: my ideas were, that the laws of Canada might be blended with those of England, so as to form a system perfectly adapted to the wants of the Canadians, and also to the principles of the polity of this country. I would have left the Canadians all their laws that in any degree concerned the transfer, possession, settlement, or mortgage of landed property. I would have secured them their religious toleration and security; but I proposed to give them the criminal law of England, and the civil law as far as it concerned the rights of moveable property, the modes of trial, &c. This was a mixture which I imagined would answer the purposes that were wanting.

Mr. Mackworth. Is Mr. Hey acquainted with the laws of Canada,

Canada, by which, in matters of property, he must conduct himself in case this Bill passes.

Mr. Hey. Not as a system; only in the cases which have come before me from the Court of Common Pleas.

Mr. Baker. If this Bill passes, will there be any legal remedy for a man's being arbitrarily imprisoned?

Mr. Hey. That must depend very much on the constitution which his Majesty may be pleased to give to his courts of justice, which he is enabled to erect by this bill. But if, as a Chief Justice, I knew of a man's imprisonment, I should be much induced, if I found no law for the purpose, to make one, to have the prisoner brought before me, that the cause of his commitment might be known.

June 3. The House in Committee on the Quebec Bill. Monsieur De Lotbiniere called in.

Mr. T. Townshend. Are you of Canada?

De Lotbiniere. I am.

Mr. T. Townshend. Of the corps of nobility?

De Lotbiniere. Yes.

Mr. T. Townshend. Do you know if the Canadians are desirous of having an Assembly to represent them in the government of the province?

De Lotbiniere. They are very desirous of it.

Mr. T. Townshend. Why then have they not made representations to that purpose?

De Lotbiniere. Because they understand, that if they were gratified with an Assembly, they would in consequence have the expences of the Government to support, which in the present state of the province would be much more than they can support.

Lord North. Did M. De Lotbiniere ever hear any material objections to the establishment of a Legislative Council?

De Lotbiniere. I never heard it particularly debated, nor any objections.

Mr. T. Townshend. Does he think the Canadians are not desirous of a more free government than a Governor with a Council, the members of which are appointed, removed, and suspended by him?

De Lotbiniere. They would certainly desire a freer Government.

Lord Beauchamp. But if some of the Noblesse were admitted into that Council, would they not then be well satisfied?

De Lotbiniere. They might then be satisfied.

Lord North. Would the Noblesse be desirous of an Assembly

bly which the Bourgeois were admitted to sit in common with themselves?

De Lotbiniere. I do not apprehend they would object to that, if it was the King's pleasure so to have it.

Mr. T. Townshend. Have they been displeased with the English law?

De Lotbiniere. While the circumstances of lands have been left to the Canadian laws, they like the English judicature very well.

Mr. Mackworth. I desire to know of the gentleman at the Bar, what would be the best establishment of laws in the province of Quebec, in his opinion?

A. It is difficult to say upon any subject, in this world, what is best for any men or set of men of speculation: that which succeeds best in publick and private life is best; and therefore I cannot tell what will be best for the Canadians.

Q. Does he think that the Canadians would chuse the system of English law, or the French law?

A. I do not know a single Canadian. I never was in Canada.

Q. Does the gentleman think that the commerce of this country, and the province, would be hurt by a revival of the French laws in cases of property?

A. I cannot tell.

Q. Does he know any thing of the state of Canada?

A. What I know is from such papers as have been laid before me, by order of the King in Council, and by information of other persons.

Capt. Phipps. I desire to ask if he understands the French law?

A. I find it very difficult to understand any law.

Q. Does he know the power of the French King, under the constitution of the French laws?

A. I do not well understand the constitution of France. I never was in France. It is a very hard thing for a foreigner to obtain an adequate idea of the constitution of another country. The constitution of one's own requires a great deal of close application and study: I wish I understood it better; and that many other people would study it more, and understand it better than I fear they do.

Q. Does he understand the constitution of Ireland?

A. No: I never was in Ireland.

Mr. Dempster. Does he think it expedient to give the province of Quebec any part of the French constitution?

A. The question is upon the word expedient.

Q. I mean, will it be wise and prudent?

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A. By the words expedient, wise, and prudent, I understand the question to mean, whether it will be politically wise and prudent Expediency is Ministerial language. It is a word of state: state expediency.—It means that high policy, that great arcanum, the sublime of government, extended almost beyond the reach of human wisdom. Few that can pry into this sort of knowledge. Fewer that can comprehend it. I am sure I do not.

Q. The gentleman, by the nature of his office, and greatly informed as he is from his connections with Government, and his own reading, must know much concerning the actual state of the province of Quebec; I desire he will answer what sort of government he would give to it?

A. The giving laws to mankind is the perfection of all knowledge, human and divine. It is not the work of days, of months, of years, but of ages. For me to answer that gentleman's question, what sort of government I would give to the province, I must be the vainest of men.

Q. From such papers and informations as have been laid before the gentleman for his consideration, I desire to know in general what is his idea of a Civil Establishment for the province of Quebec, the properest to be given it by the Legislature of this country?

A. It depends upon a most extensive knowledge, infinite indeed, of the relations of men and things, times and circumstances; the positions of both countries; the manners and genius of the people; the wants of the province; the views of the Mother Country; the conduct of the neighbouring Colonies; the state of the nation *vis à vis*, or respecting them and the designs of the rest of Europe. These relations change every moment; this vast political prospect is for ever doubtful and floating; it contains too many objects for my short vision and poor comprehension.—My answer therefore to the question (What is the properest establishment for the province of Quebec, to be given by the Legislature of this country) is, I cannot tell.

Mr. W. Burke. There is an absurdity in this answer. The gentleman spoke of an infinite knowledge of men and things, times and circumstances, and yet he says, he cannot tell.

House—Read the Minutes.

The Clerk read the Minutes—as Mr. Burke had represented them.

Advocate General. They were not my words—It depends upon a most extensive knowledge, &c. &c. that is, the question depends—The words 'it depends' were left out.—Repeats as above,

Mr.

Mr. Baker. I would ask the gentleman at the Bar if ever he has read any thing of the laws of France? I believe he has read a great deal.

A. I have read a little of the French law.

Q. Does he understand it?

A. Not the stile of it, nor its forms very well.

Q. What does he mean by the stile of it?

A. There is in every civilized country, in which a system of civil laws is established, a law-language—as there are in every art and science words and phrases peculiar to them, only understood by the persons who practise those arts and sciences; I correct myself: not always understood perfectly even by them, for they frequently dispute about the force and meaning. The law therefore calls these arts, crafts and mysteries. The French have a serious word for the stile of law; they call it *jargon*: we ludicrously use it *jargon*. It is a cant word.

Q. Did he ever see any system of the French law in Canada?

A. I have read a collection of French laws, which contains, by way of abstract, the laws and usages of that province, founded on the laws of the Prevôté of Paris; and it also contains several ordonances of police and arrets of the French King.

Q. Does he understand them?

A. Some part of them: the law-language is difficult.

Q. Is there not in that collection something concerning the *jus retractus*?

A. I suppose the gentleman who puts the question means the *retrait lignager*. It is the right which a lord of a fief or a manor, and first original possessor of a grant from the Crown, has to receive some imdemnifications from those persons who are called the *arrier tenants*, who hold under him. There is such a title as *retrait lignager*.

Q. If the French civil laws were revived, or suffered to remain in Canada, would it not be a discouragement to the old British subjects to go and trade there, and make purchases of lands?

A. If old British subjects were to go thither, the French civil law remaining in force, or being revived, they would go thither at their option and of their own free will, as they now go to Jersey or Guernsey, where the French laws prevail. Or for another instance, if you please; if any person on speculation thought of going to buy an estate in Scotland, if he found that he did not like the Scotch law and inhabitants, he might do a better thing, keep his money in his pocket and stay at home; a thing much wanted in this country.

Mr. Dempster. On what terms do you think, in the state of things in Canada, an English merchant going to settle there would hold any lands which he should purchase?

A. On the same terms as the Canadians held them who convey the lands: or if the new settler takes them by grant from the Crown, he will then take them on the same terms as any other grantee would do; that is to say, on such terms as the granter shall please. All is voluntary on the part of the purchaser or grantee—he may take the lands, or he may leave them.

Q. Has he given no opinion upon the subject of Canada?

A. I have.

Q. In what capacity, and to whom?

A. As his Majesty's Advocate-General, to his Majesty in Council, I drew up a plan of a code of laws.

Q. Will the gentleman be pleased to give the House some account of the plan?

A. I had the honor of his Majesty's commands in Council, together with my brethren in office, the Attorney and Solicitor General, to consider a great number of papers referred, and to call for such persons as could give me information upon the subject; and to prepare a plan of civil and criminal law for that province: it was referred separately to each of us three, as being the law officers of the Crown. I drew up my plan accordingly.

Q. What was the plan?

A. I drew up my plan in the following method: after stating the principles of legislation, and representing what appeared to me to have been the late condition, and now to be, and likely to be hereafter, the state of the Colony, I formed my plan under four heads: the Courts of Judicature; the Common Law of the Province; the Revenue; the Religion.

Q. To whom did he deliver that plan?

A. To his Majesty in Council.

Q. As doubtless it was very extensive in point of knowledge and information, the House would be glad to know the contents?

A. I stand here as his Majesty's servant: my colleagues next to me in office, who have given their opinions as well as myself to his Majesty, are within the Bar. When an Advocate or Counsellor gives his opinion, it is the property of his client. His Majesty is in possession of my opinion. If this House does me the high honor of being desirous to know my sentiments, such as they are (and they are very free ones) the House will then address his Majesty to lay my opinion before the House. If the House will not agree to that address, my sentiments must remain

main deposited with his Majesty, in his great wisdom, where they now most happily rest.

Q. When somebody moved to have all the papers laid before the House, the motion was over-ruled, on the ground that we might have complete information at the Bar. I fear we shall not have it where we wish it, and were bidden to expect it.—What is the sum and conclusion of that opinion?

A. In a question so extensive, and which involved every possible consideration of policy, and very little of law, I drew up my opinion with all that modesty and diffidence which became me. The danger of positiveness in speculative opinions is too obvious to every man of a right mind. The more I viewed the subject on every side, the more difficulties occurred to me. I weighed all facts and reasonings in a true balance, without bias to any man or any party, but found it hard, after the whole result of my enquiries, to fix decisively what the system of law ought to be for a people so remote from home, of whose manners and wants we know so little. My method of proceeding was, I collected all facts as represented to me, and as far as other persons, who well knew the Colony by having been in it, were agreed in their reports made to the King's Government. I then brought all the facts and probable reasonings together in one general point of view, for the assistance of my two colleagues in office, that they might form an easier decision on their part. I drew indeed my own conclusions, but they were not positive, but open to better reasonings. I therefore, through the whole, adopted the stile and manner of that which Cicero calls the *deliberativum genus dicendi*; I submitted every thing to his Majesty's wisdom in Council, aided by opinions and arguments of much higher authority than any which I could offer.

Q. Can the gentleman recollect any parts of the opinion which he gave?

A. I answered before, that doubtless if this House will address his Majesty, they will have the whole of it before you: I have no objection, I am sure, for my part; but my memory will not serve me to repeat so extensive a work.

Q. Does it agree in substance, or part, with the Bill now depending before your House?

A. I know nothing of such a Bill officially.—A printed paper, with a title of a Bill relative to the government of Quebec, was put into my hands only two days ago, by a friend accidentally. Not having the honor to be a Member of this House, I cannot, according to the rules of it, take notice of any thing proposed within its walls. If the House were pleased to refer the Bill to me, I should desire to take it home, to read  
it



it with great care and deliberation. And if I were within the Bar, as I am now without, I would give my opinion upon the Bill in my place as freely, and with as much courage as any man upon this ground.

Q. The gentleman owns that he has had much information: I wish he would tell us what?

A. The same as the House has already heard just now, and from some of the same persons.

Mr. Cavendish. If we cannot have the whole of his opinion, will he give us some of the very learned quotations in his book.

A. So many compliments would naturally draw a positive answer from any person capable of feeling the flattery and giving an answer; but I do not know what the Honorable Gentleman thinks of me. It is not a little memory or a little time will serve to repeat all the quotations of civil and common law, and all the French and Latin extracts which I have used. I have used a great many in dressing out my own thoughts. Quotations are commonly among authors but the mere ornaments, the fringe and trappings of a book. They only shew that the man who uses them, has read a great deal; but they do not prove how much he has thought, and whether well or ill; and they shew he has thought like other people who have thought and wrote before him. If I could possibly recollect and repeat this amass of the opinions and informations of other men, I must be very tedious, and appear very pedantick to the House. I question much whether a walking library would be tolerable in these walls. I cannot remember the quotations.

Mr. W. Burke. Will the gentleman tell us how long he was composing his plan? (It must require great labour and study) and how many pages it contained.

A. About three hundred pages closely written.

Q. What was the time it took up to compose it?

A. I cannot exactly tell.

Q. Was it several months?

A. Ten or twelve months, at different intervals to compose it. But if I am to speak to all the time that I was thinking upon the subject, the time was near two years. I took it up, laid it in my desk; took it up, and laid it in my desk again, that it might ripen in my mind. I saw my difficulties of coming to a decision increased. I dreaded being hasty or positive, and I thought no trouble too much on such a publick subject, which appeared too much for the life of any man, and most certainly for any one man's understanding.

Q.

**Q.** I desire to know, Mr. Chairman, what was the name of the thing which he took up and laid down so often, and which he delivered in at last to his Majesty?

**A.** I think, Mr. Chairman, I remember the face of that gentleman who asks me the question, "What is that thing which I took up and laid down so often, and delivered in to his Majesty." I answer, when that gentleman was himself in office, he very well knew what sort of things are the opinions of Crown Lawyers.

**Mr. W. Burke.** Mr. Chairman, the witness at the Bar has behaved without any respect to the House. It was enough for the House to be insulted elsewhere. We are in an abject state. I say so, and others think so. We are very ill used. The Upper House has used us ill. They shut us out, not for fear we should hear what they did, but for fear we should see they did nothing. They frame the Bill there, delay it by keeping it in their hands, and then send it down to us; and then we are to hurry through it without sufficient information; and nobody will own it. The doors are shut upon us; nobody will give us information. I said, the gentleman at the Bar said he had a knowledge of men and things, and yet he said he could not tell. I am not guilty of any blunders, any irony. The clerk mistook as well as I. The gentleman says, he does not know the constitution of France; he does not know the constitution of Ireland; he never was in Canada; the King is his client; he will not tell you what advice he has given the King; we have a right to be informed by him. The Minister told us we should be so; and now truly the witness will not give an answer to any thing, what his real opinion is. By the rules of this House, no witness at the Bar is to answer any thing personally, touching a Member. It is a disrespect to the House. The questions are to be put to the Chair by a Member; and the Chair, which represents the House, is to put the questions to a witness. He is to return answers to the Chair, that is to the House. If an improper question is put, the House may overrule it. I always behave like a gentleman; I know the gentleman at the Bar, though I am not intimate with him. He has taken fire at my expression; I did not mean to affront him. He would not tell us what it was he had delivered: he himself therefore forced me to call it that thing which he delivered. I had no other way to express it. I am ready every where to demand or give satisfaction, where there is an affront offered or received. I desire the gentleman may withdraw, and to know the sense of the House, whether I put an improper question, or the gentleman made an improper answer?

[Mr. Marriott was ordered to withdraw.]

Mr.

Mr. Pulteney.  
 cry.

Mr. PULTENEY—It is certainly very irregular for a witness at the Bar to answer any thing relating to a Member, personally, who puts the question. It was always in my opinion wrong, considering that gentleman's situation, to call him to be examined; but we were refused the perusal of his opinion, and the papers. The Attorney and Solicitor General here refused to tell us what were their opinions which were given in by them. I often have observed much debate and confusion occasioned in the House, when a witness of wit and abilities is examined. It should be remembered by both the persons, by the one who puts the question, and by the other who gives the answer, that the question is put by the House, and the answer is returned to the House. An attention to this would preserve reciprocal decorum.

Captain  
 Phipps.

CAPTAIN PHIPPS—I must observe to the Committee, that this examination is getting into a train which appears to me to be very improper. Sir, when men of great parts and abilities, and much wit, come to this Bar, I cannot help condemning that kind of applause which is given them, for exertions of that wit, though very unseasonable. I may have been guilty of joining in this encouragement to a witness, but am sure the Committee sees, by this time, that if we proceed thus, the witness will have been called to the Bar to very little purpose. Besides, Sir, there is a conduct in witnesses that is not at all consistent with the dignity of this House. I therefore hope, Sir, that the witness, as well as any others that may come to this Bar hereafter, would recollect, that although the House owes much to the situation of a witness, yet does the witness owe something to the dignity of the House.

Lord North.

LORD NORTH—I rise to answer the gentleman who was so warm. He is angry that the gentleman will not tell you what his opinion was. He made a complete answer to his question. He said it was a deliberative opinion; that he made no decision. I do admit, that the answer of a witness, by the rules of this House, should not be any thing personal to the Member questioning, however impertinent, rude, or absurd, the question may appear to him. The rank and station of the gentleman at the Bar ought to be considered. The word thing is understood generally as a word of contempt. Nothing contemptible comes from the gentleman at the Bar: such a word might naturally strike him; and his not being a Member of this House, so as to know the rules of it, excuses him for his shewing his spirit on the occasion, when he thought himself affronted. He is under the protection of the House, and no improper question ought to be asked. In that case he may demand

mand the protection of the House, and so may every person who is examined at this Bar.

Mr. E. BURKE—I rise to apologize for the gentleman next me. I am perfectly sure he did not mean to affront the gentleman at the Bar. I know the gentleman there extremely well, his great abilities, learning, and character; he has distinguished himself by his writings and behaviour, and nobody here or any where else can treat him with contempt; but we should have been very glad to have had his information. I am sensible that he is in a very trying situation. His information is withheld. It is a distress upon him, and an insult upon us to refer us to him, when it was known beforehand that it was not likely that he should think himself at liberty to give us his opinion *viva voce*, after what he has written was refused us by others. It was, however, very natural for us to call for him. We had no other hope of obtaining any information of great authority. All the world knows that the King's Advocate General, the Attorney and Solicitor General, from the nature of their very high offices, have the power of obtaining every sort of information. All is open to them in every department of Government. They can enter behind the veil. The *sanctum sanctorum* of State must be frequently and confidentially submitted to their view; but the curtain is drawn upon us, and the door is shut. How, then, are we to get information? I ask; shall we have it from the other Crown Lawyers? The answer is, they stand upon their own ground, and take and narrow it when and where they please, as Members within the Bar; and the gentleman who precedes in office, but who stands without the Bar, necessarily suffers from a variety of torturing questions put to him on speculative points, which it must put any man under difficulties to answer, especially one in his station. I never should have concurred in the motion to examine him, if the former motion for the address for papers in general had not been over-ruled.

Mr. Fdm.  
Burke.

The Advocate General called in again.

Chairman. Sir, you are to address yourself to the Chair.

Captain Phipps. Under what denomination are the papers which were delivered in by the Advocate General to the King?

A. A report.

Mr. Mackworth. I wish the gentleman would give a short account of the substance of that report, as concise as he pleases to make it.

A. I thought I had before given an account of the contents, and of the plan. It is impossible to give a short account of a long affair.

**Q.** In that report does he approve of juries; does he like them; what does he think of them?

**A.** I should choose to be tried by them. But I think of juries as I do of every thing else in this world—every thing is imperfect. I have often considered the different modes of trial in different countries; the Civil Law Courts, the Courts of Common Law, and Chancery; their modes are all defective in discovering truth. Juries are like most other men and things; they have their excellent qualities, and they have their bad ones.

**Q.** Does he think it will be a hardship upon the Canadians not to have juries? not to have their lives and properties tried by a jury out of their own neighbourhood? Would it be their happiness or unhappiness?

**A.** If I were a Canadian I could tell what would make me happy: if I were to go to Canada I could tell the same. As an Englishman, I say that juries are a mode of trial which I like; they are very favourable to the property of the subject, and the natural liberties of mankind.

**Mr. Dempster.** Does the Doctor think that the present Bill is calculated to give as much freedom to Canada as is expedient to give?

**A.** Expedient to give them! I answered before to that question; it involves a thousand others.

**Mr. C. Jenkinson.** Does he think that the Canadians will not suffer greatly if the *habeas corpus* law is not introduced among them?

**A.** I desire the question may be repeated; the merit of the *habeas corpus* law is a great constitutional question.

**Question repeated.**

**A.** The idea of the suffering is the idea of the sufferer, and not of a third person; I cannot answer for the feelings of the Canadians.

**Q.** Cannot the gentleman conceive the pain of another person?

**A.** No person has a true impression of the degree of pain or pleasure of another being; there is no complete medium to convey the sensations; words will not do it. No person can tell what a man of probity and reflection, who wishes to judge without error, and to do his public duty in an arduous question, feels, when put upon the rack of opinion. No man in this place exactly knows how I feel, in my particular and relative situation, by being so long kept at this Bar, and called upon to answer every sort of question that can be imagined about all possible and probable things from such a variety of persons. Witnesses, by all the law I know in the world, are called

called every where only to speak to facts; to opinions, no where;—except in one court of religion, in the world.

Q. The gentleman then has, I find, some sort of idea of another man's suffering, although not an adequate and perfect one. Cannot he tell the House, supposing that I were to give the gentleman who sits below me a slap on the face, what he would suffer? [The Member who put the question being a very slightly-made man, and the gentleman who sat beneath him a very stout man, and the latter turning round quick to look at him, it occasioned a loud laugh.] I mean, what would a person struck suffer when there are visible signs of a violent blow? suppose that the blood gushes out of the nose?

A. The noses of some people bleed without pain. That gentleman might have a blow on the nose, and he might feel it. I should not. I mean, he would feel it if he were sober; if he were drunk he might not; he might take it all in good part; and as for the blood, swear it was all good claret.

A Member. Repeat the answer.

A. If he were inebriated he might not feel. Mr. Chairman, I hope my answers are not improper. I desire to be serious. I am in earnest. The answer, I take it, by the law of all evidence, ought to be of the same colour with the question, and pointed to it.

Chairman. Right, certainly.

Colonel Barré. I would not desire to distress the gentleman at the Bar. He is certainly under personal difficulties in his situation of office, and not being a Member. But I see he bears his examination with much patience and good humour. We were all going to be very dull, and he has enlivened us. He has been asked above an hundred questions, and has parried them all: not one decisive answer. I did not expect he would have kept his ground so stoutly against numbers. I will now beg leave to try him. I undertake, Sir, to ask him one very easy question, which I think he may and will answer. What does he think is the King of Prussia's religion?

A. I have read some of his works; if the writings I mean are really his; although some people have doubted the title, "*Oeuvres du Philosophe de Sans Souci*." His religion may be judged from them.

Q. I desire to know, Sir, what he judges the King of Prussia's religion to be?

A. From them? I believe his Majesty has no (formal) religion.

Q. If the province of Canada were to be ceded to his Prussian Majesty, what religion would he introduce into it?

A. A soldier's religion.

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Q. What

Q. What is a soldier's religion ?

A. If I were a soldier, Sir, I would answer the words—my honor.

Q. What is a lawyer's religion ?

A. His honor too ; not to give up his client. But I suppose the gentleman knows there are two orders of men in this country, the civilians, and the common lawyers. I am no common lawyer.—The religion of which ?

Q. Of both.

A. The common lawyers must answer for themselves. I can readily answer for the civilians ; they are ecclesiastical lawyers, and subscribe ; they are of the religion of this country by law established.

Q. I see, Sir, there is no hitting the gentleman at the Bar. But I have read an opinion of some weight in a book here in my hand : it is so laid down, that I think the gentleman cannot escape answering to it. With the leave of the House, I will read it.

“ In order to judge politically of the expediency of suffering the Romish religion to remain an established religion of the State in any part of your Majesty's dominions, the Romish religion, I mean its doctrines, not its ceremonies, ought to be perfectly understood. The opinion of the Royal Author of the *Memoires de Brandenburg* seems to be conclusive on this head to every sovereign power, that the Protestant religion is best both for the Prince and the people ; because there is in it no middle power to intervene and stand before the Prince against the people, nor before the people against the Prince.”

The House now sees why I put the other question.

Q. Did the gentleman ever read the *Memoires de Brandenburg* ? Is that which I have read the King of Prussia's opinion ? Is that opinion in the *Memoires de Brandenburg* ?

A. I have read a book with that title : but whether that book was his writing, or whether, being his book, that was his opinion (for many people write books, who are not of an opinion with their own book), I do not know. There is something very like that opinion in the book.

Q. The book, Sir, in which this opinion is recommended and adopted, ends with the name of the gentleman at the Bar. He has subscribed to that opinion.

A. [Bowing with great respect round to the House, and laying his hand on his bosom]. I now subscribe to that opinion most seriously—and most sincerely.

The Advocate General was ordered to withdraw. The House went into a debate, in the course of which Mr. Charles Fox and Mr. T. Townshend agreed with Mr. E. Burke, that  
it

it was wrong to have examined the King's Advocate General, and to force him to give an opinion to the House; and laid the blame on the Minister, and those persons who opposed the motion for the papers.

Mr. Baker moved, "That General Murray be examined as a witness." Notice being given, that the General was in the House, the Serjeant was sent out for him, but he was gone home. As soon, therefore, as the Speaker took the chair, Mr. Baker again made a motion, "That General Murray might be ordered to attend the Committee on Monday."

He was seconded by Mr. T. TOWNSHEND, who set forth <sup>Mr. T.</sup> the necessity of his attendance; and said, he could assign no <sup>Townshend</sup> other reason for his evidence being denied, without it was that he himself had been imprudent enough to declare to the House, that General Murray coincided with Mr. Maseres; and said, he believed when the noble Lord gave his consent to hear him, and sent the Serjeant to look for him, he well knew he was not in the House.

LORD NORTH arose in a terrible passion, and said, he <sup>Lord North</sup> cared not what the Honorable Gentleman thought of him; that he never paid any respect to what a passionate and prejudiced person said; that he knew the Honorable Gentleman had an ill opinion of him, and he was welcome to think so still. He said, had General Murray been in the House, he would have heard him, but as he was not, summoning him for another day would greatly delay the business, and he should therefore oppose the motion.

Mr. T. TOWNSHEND arose, and in a spirited manner <sup>Mr. T.</sup> answered, that he would submit to the House which seemed <sup>Townshend</sup> most passionate; that he was certain General Murray's evidence was material; and as to prejudice, he desired nothing but that it might be remarked, he was prejudiced to hear General Murray, the noble Lord was prejudiced against hearing him. He then very masterly set forth, that by this law the fishery on the Labradore coast would be altered, which would affect the Newfoundland fishery; that as it was an affair of great consequence, Admiral Palliser would be necessary to be examined; but as the noble Lord objected as to time, he would not move for his attendance, but only wish to refer the noble Lord to him for information.

COLONEL BARRE set forth how material it was to have <sup>Col. Barre</sup> General Murray's evidence, as he was at the taking of Quebec, was Governor of the Colony the first after it was taken, and remained Governor several years after, and therefore, consequently, knew the manners and customs of the Canadians; that, as he had been resident there at so critical a juncture,



ture, he must have seen how they liked the French laws, and how they liked the English laws.

Captain  
Phipps.

CAPTAIN PHIPPS was likewise much for the General being heard, saying, that the evidence produced had been deficient in many points of information which he could have wished to have heard.

Mr. C. Fox arose, and in a severe manner attacked Lord North, as to passion and prejudice.

Mr. Dempster, Governor Johnstone, Mr. Burke, Mr. Baker, Mr. Turner, &c. &c. spoke in favour of the motion, and none but Lord North against it. At eleven o'clock the question was put, and the House divided; for the motion 36, against it 90.

June 6. The House in Committee on the Quebec Bill.

Governor  
Johnstone.

GOVERNOR JOHNSTONE, after stating his objections to the principle of the Canada Bill, and to the extension of Canada (which was no less than eleven millions four hundred thousand acres more than as claimed by France) read a list of propositions, which appeared to him to be contained in the Bill, amongst which were,

That a state of slavery is better than a state of freedom:

That the Popish religion is better than the Protestant:

That juries are unnecessary, and therefore to be disused:

That monopolies are useful to trade:

That it is easier to go up a river than down a river:

That French laws and commercial regulations are preferable to English:

And that the Constitution, which our ancestors had framed with so much wisdom, and established at the expence of so much blood and treasure, is to be destroyed by their wiser sons.

Mr. Burke.

Mr. BURKE spoke against the Bill; but confined himself to the point of ascertaining the limits of New York; and proposed the following to be the boundaries of Canada against that province, viz. by a line drawn from a point on the East side of Lake Champlain in 45 deg. N. latitude, and by a line drawn in that parallel West to the river St. Lawrence, and down that river to Lake Ontario, and across that lake to the river Niagara, and from Niagara across Lake Erie to the North-west point of the boundary of Pennsylvania, and down the West boundary of that province, by a line drawn from thence till it strike the Ohio. After some debate this passed. The limits of Quebec were next carried along the Ohio to the Mississippi. Governor Johnstone spoke against the annexing the Illinois to Canada. There was another debate on annexing the coast of

of Labrador to Quebec. The objection was begun by Sir Charles Saunders, who deduced from it the loss of the fishery to the Americans. Lord North gave an account of the sea-cow and seal fishery on the Labrador coast, and shewed, that from the sedentary nature of it, it could not be conducted upon the same principles as the Newfoundland fishery. Upon this clause the House divided; 88 for it, and 49 against it.

June 7. The House in Committee on the Quebec Bill. The second enacting clause of the Bill being read, which revokes all laws and ordinances made for the settlement of the province since 1764, and ordains, that they shall cease and determine on the 1st of May, 1775, Mr. Burke moved, that that part of the clause should be left out. He was seconded by Governor Johnstone. A debate now ensued, but the Committee divided, Ayes 91, Noes 31. Proceeded to the third enacting clause relative to the establishment of the Roman Catholic religion, and the provision to be made for the clergy of that persuasion; carried without a division. A motion was then made to adjourn, it being past eleven o'clock, but the friends of the Bill insisting to go on, a debate arose, and the Committee divided; for proceeding 75, against it 31. Several of the most strenuous opposers of the Bill now quitted the House, and the Committee proceeded, with very little interruption, through the two next clauses, the 4th and 5th. The House rose at one o'clock in the morning.

June 8. The House in Committee on the Quebec Bill.

Mr. BURKE said, he had last night, when it was past Mr. Burke's eleven o'clock, moved to adjourn, but his motion was rejected on account of the great necessity of going through the Bill with all possible dispatch; yet he understood they were to adjourn on account of a champetre to be given by a noble Lord (Lord Stanley), and therefore desired to know which ought to be given way to most, the pleasures of dissipation, or a Bill of such magnitude as that before them; he said, he had several very material amendments to propose to the second clauses, which had been so slovenly and scandalously gone through that morning, but now he was precluded.

LORD NORTH replied, he was sure he had shewn great Lord North's candour to the House at the time the Honorable Gentleman mentioned, and that he should always trust to his conscience for the uprightness of his conduct.

RIGHT HON. T. TOWNSHEND arose, and in a very Rt. Hon. T. Townshend's pointed manner answered the noble Lord, as to the slovenly manner in which the two clauses mentioned had been carried through

through the Committee; he said, he likewise understood that the House was to adjourn a day on account of his champetre, and to be sure, the 9th day of June was more proper for a champetre than for a Committee of the House of Commons to be sitting on so important a Bill; but he, at the same time, could not but allow that the noble Lord had an amazing foresight, in ordering, above all days in the year, the 10th day of June, for the finishing a Bill to establish Popery; he said, the day was truly characteristick to the business; and he made no doubt, but the noble Lord, and his party, would come with white roses in their breasts, which would at once make them truly respectable; he said, however, he should have a clause to introduce on the Report, which, if the noble Lord would suffer it to pass, he should be so far devoted to him as to smirk and smile with the rest of his friends.

**Mr. Burke.** Mr. BURKE also, in a most pointed speech, attacked the noble Lord as to candour and conscience; he ran on in such a vein of humour that the House was in a continual laugh during the whole of his speech. He said the noble Lord ought to be highly commended for his humility, for he always gave way to the majority of the House; he said, as to the father of the Bill, he would be bold to say the noble Lord was the father; he brought it into that House, he supported it, and he was responsible for the mischiefs that might ensue from it.

**Col. Barre.** COLONEL BARRE severely attacked the noble Lord as to his candour and conscience. He said, the Bill had originated with the Lords, who were the Romish priests that would give his Majesty absolution for breaking his promise given by the royal proclamation in 1763; that they, in this Bill, had done like all other priests, not considered separately the crimes with which the Bill abounded, but had huddled them all up together, and, for dispatch, had determined to give absolution for the whole at once. He said, the noble Lord might go on and support that or any sinful affair, as he was sure of getting absolution for all at last. He said, he was certain, by the noble Lord and his dependants proceedings, that after their death people might say as they did after the death of King Charles, "that by papers found in their closets, they appeared to have died in the Roman Catholick belief."

Mr. Dempster, Governor Johnstone, Mr. Baker, &c. attacked Lord North for hurrying the two clauses through the Committee at such an improper time of the morning.

Mr. C. Jenkinson, Mr. Welbore Ellis, Lord Beauchamp, &c. supported Lord North, and said, as they were Roman Catholics, and were deemed near their end, it would be kind to let them die in peace; but that they found their case was like most  
Roman

Roman Catholicks, who generally, at their end, were surrounded by a number of troublesome people.

The House was full two hours and a half thus wrangling about the manner in which the business had been conducted the night before. After which, Sir Charles Whitworth, the Chairman, read the clause which mentions the number of the Legislative Council to be appointed, which is not to be more than 23, nor less than 17.

Mr. Dempster objected as to the number, and proposed 30. Lord North strongly opposed the amendment, and on the question being put, it was rejected.

Mr. E. Burke, Capt. Phipps, Mr. Baker, Mr. C. Fox, Mr. Dempster, Governor Johnstone, &c. opposed the clause, and Lord North, Lord Beauchamp, Mr. C. Jenkinson, Mr. Welbore Ellis, Mr. Gascoigne, &c. supported it, which clause, on the question being put, was carried without a division. They next proceeded to several of the provisos annexed to the clause, which likewise occasioned much debate. Several amendments were proposed by the enemies to the bill, but rejected, and other amendments inserted in their stead, proposed by Lord North; after which the last clause was read without any debate.

Mr. Jenkinson said, he had the other evening heard an Honorable Gentleman mention, that the oath to be taken by any person who was entrusted with power, would not suit the Roman Catholicks, he had therefore substituted a new oath, which he begged leave to bring up, and to have it inserted as a clause, which being brought up and read, was approved of.

June 9. Adjourned to June 10.

June 10. Sir Charles Whitworth, Chairman of the Committee, reported the Bill, with the Amendments which had been made.

Mr. Mackworth moved, "That a clause should be added, allowing of a trial by jury, at the option of either or both of the parties." He recommended the clause as a security for the English in Quebec against the French laws.

LORD NORTH opposed it. He recapitulated part of the evidence that had been produced at the Bar, and said Governor Lord North. Carleton had informed the House, that the Canadians had a dislike to the English laws in general; that it was his opinion, that giving the Canadians their old system of laws would be the only means of making them a happy people; that Mr. Hey, the Chief Justice, had said it was his opinion, that the Canadians, at first, might have been brought to like the English laws, but

since they had been so indulged, they expected now nothing less than a repeal of the whole of the laws by which they are governed at present; and that the Noblesse of the country thought trial by jury was humiliating and degrading to them, as it subjected their property to the decision of barbers and taylors; that Mr. Maseres had, to be sure, said, that juries, he believed, would be liked under proper regulations, but the people of Canada did not choose to give their time and attendance for nothing; that Monsr. Lotbiniere, on a question being put to him, Whether he did not think the English laws the best for the Canadians in general? said, "I make no doubt but your laws are good and wise, and make you a happy people, but I do not think they are suited to every climate." His Lordship afterwards entered much upon the subject of juries, and said, the Canadians could have but a bad opinion of English juries, when a grand jury there had presented the Roman Catholics as a nuisance; he said, the Canadians, in their petition to the Throne, had desired to have the whole of their ancient laws restored to them, which this Bill was meant to do; that in his opinion, the trial by jury was not necessary there; and that, by what he had been informed, the French laws were sufficient to protect property without it; that people had very industriously circulated a report that he had made a Ministerial question of this; he would assure the House, upon his honor, he had not; that, after once fixing the government of Quebec, in the hands of this nation, it was a matter of indifference to him what law or religion was established, so it made the people happy; that the British merchants saying their property would not be secure without English laws, let gentlemen recollect that British merchants trade to all parts of the world, and think their property secure in Portugal or Spain, where they know the Roman Catholick religion is the religion of the land, and that the number of old or English subjects in Canada were so few in number, that the cries of 150,000 ought to be given way to in preference of 360.

Mr. Glynn. SERJEANT GLYNN recapitulated the parts of the evidence which the noble Lord had so ingeniously selected; he said, the noble Lord had laid great stress on the imprudence of the grand jury presenting the Roman Catholics as a nuisance, and seemed to think, for that reason, they ought to have the trial by jury taken away; did the noble Lord never recollect, that the British House of Commons had committed equally flagrant acts of injustice; and that, if the reason for abolishing held good in one point, it ought in the other; yet he sincerely hoped that that House would never be taken away; for, bad and corrupt as it was believed to be by ignorant people, it still remained  
some

some safeguard to the nation; he afterwards launched forth into the praise of juries, and mentioned many particular circumstances where juries had been found extremely beneficial to the welfare of the publick; he afterwards stated the account of the seizing the papers of Mr. Wilkes, the General Warrants, &c. &c. He said, all State causes would be carried as desired, was it not for juries; he mentioned the affair of Hampden concerning Ship-money, and concluded with saying, that the 10th day of June 1774 would be handed down to posterity as a day when the Members of a British House of Commons preferred Popery and French laws to the established religion and laws of their own country; and, at the same time, that trials by jury, which their forefathers accounted a blessing, they deemed a curse.

The ATTORNEY GENERAL said, he did not agree with the Honorable and Learned Gentleman, that whoever was against the allowing a trial by jury in that Bill thought the mode a curse; far from it; he had himself, in many cases, often thought the trial by jury a great blessing; yet it would be highly imprudent, unparliamentary, ridiculous, and absurd, to establish a clause at the end of the Bill (as that must be), which clause would entirely repeal that clause in the body of the Bill which allows the Canadians all their ancient laws; or would any body say, that trial by jury was one of their ancient customs, or assert that it was necessary; that, as for the petitioning Canadians, they only desired to have their ancient laws and customs restored to them; and that he by no means thought an optional jury any thing like an English jury; that, by the former, any party that thought he could gain a preference in his trial over the other, would adopt it; and that it must be allowed, that where the option was liked by one, it would displease the other; besides, the evidences at the Bar had declared, that the Canadians were averse to the form of an English jury, especially in that part which obliges them to be unanimous in their verdict; and that, if you took away that part, in his opinion, you destroyed the whole; that he believed the Learned Gentleman had been wrong in giving praise to a jury in the case of Mr. Hampden, for no jury was consulted on that case.

Mr. DUNNING said, that as to the Learned Gentleman mentioning that he by no means approved of optional juries, had we not, every term, instances in the Court of Chancery, where it was in the power of the Lord Chancellor to appoint a jury, if he thought proper? That, as to the establishing the French laws in Canada, who had we fit to administer them? Had not the two learned and respectable gentlemen at the Bar,

Mr. Hey and Mr. Mafres, informed the House, that they by no means thought themselves capable of learning the French law sufficiently to administer it with justice; and if such learned gentlemen as them had not abilities sufficient to understand it, sure he was, that no person the Minister could produce was capable of undertaking the task, so as to do justice to the people and honor to himself; he said, the noble Lord had been repeatedly called upon to declare the author of the Bill; let the author now stand forth and clear himself; but he would be bold to say, no man would dare to own a Bill which was meant to establish Popery. The noble Lord had said, the Canadians had not desired to have a jury; could the noble Lord say the Canadians had desired not to have a jury? He then entered very fully into the nature of juries; said they were fit in all cases; that he had known many instances where juries had found for the Crown, and that he could wish to see juries established throughout the world, as they were a check upon the evil judges, and consequently if they were not so good judges of law, they were judges of fact; he said, as to the people of Canada being negligent of attending to serve on juries, it was the case here; there was scarce a term passed but jurymen were fined for non-attendance.

Mr. Wed-  
derburne.

The SOLICITOR GENERAL said, he could not agree with the Learned Serjeant, that the supporters of the Bill deserved the appellation of traitors to their country; that he had no objection to a jury hereafter being established there, but let it be left in the power of the Crown, and if they saw it was necessary, they could at any time adopt it; but this was not the time, when the people were so much enraged against the proceedings of juries in that country; that as the jury which Mr. Mafres had formed for that country, in the pamphlet he had published, he by no means thought it like an English jury, for it was to be formed of an odd number of people, thirteen, fifteen, or seventeen, and a majority of those people to be decisive, and the jurymen to have 5 s. per day allowed them for their attendance. He said he never would allow that the Canadians were fit persons to serve upon a jury, they understood nothing of its form, and therefore were not judges enough how to act upon it; that as to cases of revenue, we had had two instances of their deciding different to an English jury; that a jury in England had found for the Crown, they in Canada had twice, on the same trial, found for the defendant; and the witness at the Bar, Mr. Hey, had informed the House that he had often been put to trouble, because he never could get the Canadians to give a special verdict.

Mr. Byng.

Mr. BYNG—The noble Lord had given them such of the evidence

evidence as he thought proper, and mentioned the equality of the numbers of the two sorts of subjects; that as to the numbers, it was a matter of indifference to him whether they were 360 or 360,000, they had equally a claim to compassion; that he thought it proper, that wherever an English colony was settled, English laws ought to be established; that he did not approve of the clause now offered, because he thought it not sufficient, yet he would gladly accept of it as part of a good thing, and he made no doubt but the Canadians would, when they became used to the nature of it, love it, and wish to have it in its full extent; that General Carleton had informed them that the Canadians were a docile people; had we any occasion to go to Canada to look for docile creatures? No! there was a sufficient number always to be seen on the opposite side of the House, docile enough to do any thing the noble Lord, their leader, should direct them to do.

Governor Johnstone spoke highly in favour of juries, and recommended the clause.

RIGHT HON. T. TOWNSHEND spoke against the whole of the Bill, and much in praise of juries; and recommended the clause offered in a strenuous manner, setting forth, that the English residents there had not gone to that colony, had they not been invited by his Majesty's royal proclamation; but those who advised him to break his promise, would advise him to do any thing that was bad.

Mr. BURKE, in a very long speech, the first part of which was a keen, pointed vein of humour against the Ministerial gentry, who just then came into the House in great numbers, said, he should not then have arose, only he thought he now seized a happy moment when he should carry his point, for the House had filled, all of a sudden, with people who had not heard any thing that had been said against the Bill, no not even from its being first agitated in the House; that they had now come with good English dinners in their bellies, which would, he trusted, make them good-humoured, and by being thus full of English meat, would undoubtedly be for English laws; that he should have been afraid to attack such a body of power and wisdom as the other side of the House contained, had he not fortunately observed, that the noble Lord, and his two great oracles of wisdom and order, had all differed in their opinions; that finding them at variance, he thought the moment would be fortunate to his cause; the one was for a jury, only now was not the proper time; the other against any jury at all; and a third that it could not be inserted in the Bill. He divided the people concerned in the Bill under three heads: first,



first, the English merchants; second, the English subjects; and thirdly, the Canadians; he said they all deserved support; and, though the noble Lord, and his supporters, had so industriously always made use of the number 360 as suitable to their cause, let them only recollect what all the evidence at the Bar agreed in, which was, that the English subjects were possessed of upwards of two-thirds of the whole trade; did the noble Lord think then that they were a body of people to be minded? That as to their numbers being small, the noble Lord might recollect that there was an old vulgar saying, "that one Englishman was always worth two Frenchmen," that, in this case, he thought them preferable to fifty Frenchmen; that he would be willing to give a Canadian every indulgence in his power, but not grant that indulgence at the expence of the English; that if these Noblesse were the only persons (as they appeared to be by the evidences at the Bar) that were against the English laws, he would sacrifice them, and all the Noblesse of England and other countries, but he would make the majority of the people happy. But the reason the Noblesse did not like the English laws, was on account of the manner in which they had been represented to them; namely, that they were a string of religious and civil persecutions, which would entirely hinder them either from exercising their own religion, or from having any share in the government of their own country; that, remove those prejudices which the Noblesse had imbibed from misrepresentations, and he would be bound to say that they would not only admire our laws, but petition to have them; that, as to the Noblesse hating juries, because it trusted their property to their inferiors, it was a principal reason why he would give the Canadians a jury, in order to protect their property from the arbitrary proceedings of the Noblesse, who, in all countries, always wished to have the poor under their controul; that as to the English laws not being esteemed by the French, he could produce mountains of books, wrote by Frenchmen, on the justness and excellency of our laws, where they approved of the trial by jury as one of the greatest excellencies our Constitution produced; that the noble Lord had invited him, and others, to come and offer their opinions, setting forth, that the Bill was imperfect, and he wished to alter it, yet he had not attended to what had been offered; that, in the Committee, when he meant to propose a clause, the noble Lord told him he might do it with propriety on the Report, and that there would be no other obstacle in his way, than that he would oppose it; he said he was greatly obliged to the noble Lord for his candour, for it had spared him much trouble, having intended to offer several clauses, which he should, with great justice,

justice, be called obstinate, was he now to attempt it, when he knew there was such a glorious triumvirate of power and wisdom formed against him; that he sincerely believed the French were in awe of us, yet he could not help thinking but that they must be astonished, that a people who had such powerful arms should have such weak heads. He strongly recommended the state of the merchants as an object of the noble Lord's attention, setting forth, that their property was always in a fluctuating state, and that they run great risks of their whole fortune, to benefit Government as well as themselves.

On the question being put, it passed in the negative; 83 to 4.

Right Hon. T. Townshend proposed a clause to make it a temporary Bill, and to limit its duration to seven years. This produced a short debate, but it passed in the negative without a division.

Mr. Dempster proposed a clause for giving notice of all laws to be passed, which likewise passed in the negative.

Mr. C. Fox proposed a clause to secure to the religious orders their rights and properties, as a corporate body claiming under the capitulation; which shared the same fate with the preceding.

Lastly, when all the clauses were rejected or agreed to, and the SPEAKER was reading over the Bill, Mr. Dempster moved, that a clause should be inserted that the Canadians should, on claiming it, have a right to the benefit of the Habeas Corpus Act. A division was the consequence of this motion; when the numbers were 76 Noes, 21 Ayes.

June 13. Mr. Cooper moved that the Quebec Bill do pass. Mr. C. Fox opposed it upon the ground of its being a Money-bill. The House divided, Ayes 56, Noes 20.

No other publick business. The Bill went back to the Lords, and the Commons adjourned.

On the 22d of June the King put an end to the session with a Speech, which the Reader will find at the end of the Lords Debates.

And on the 30th of September the Parliament was dissolved.

STATE of the different PARLIAMENTS since  
the Reign of HENRY VII. with the Period of  
their respective Diffolutions.

No. of Parliaments.	Names of the Monarchs.	When met.	When diffolved.	Existed. Y. M. D.		
1	Hen. VIII.	21 Jan. 1509	23 Feb. 1509	—	1	2
2	—	4 Feb. 1511	4 Mar. 1513	2	1	—
3	—	5 Feb. 1514	22 Dec. 1515	1	10	17
4	—	15 Ap. 1523	13 Aug. 1523	—	3	29
5	—	3 Nov. 1530	4 Ap. 1536	5	5	1
6	—	8 June 1536	18 July 1536	—	1	10
7	—	28 Ap. 1539	24 July 1540	1	2	26
8	—	16 Jan. 1541	29 Mar. 1544	3	2	13
9	—	23 Nov. 1545	31 Jan. 1547	1	2	8
10	Ed. VI.	4 Nov. 1547	15 Ap. 1552	4	5	11
11	—	1 Mar. 1553	31 Mar. 1553	—	1	—
12	Mary	5 Oct. 1553	6 Dec. 1553	—	2	1
13	—	2 Ap. 1554	5 May 1554	—	1	3
14	—	12 Nov. 1554	16 Jan. 1555	—	2	4
15	—	21 Oct. 1555	9 Dec. 1555	—	1	18
16	—	20 Jan. 1557	17 Nov. 1557	—	9	28
17	Elizabeth	23 Jan. 1558	8 May 1558	—	3	16
18	—	11 Jan. 1562	2 Jan. 1567	4	11	22
19	—	2 Ap. 1571	29 May 1571	—	1	27
20	—	8 May 1572	18 Mar. 1580	7	10	10
21	—	23 Nov. 1585	14 Sep. 1586	—	9	21
22	—	29 Oct. 1586	23 Mar. 1587	—	4	23
23	—	4 Feb. 1588	29 Mar. 1588	—	1	25
24	—	19 Nov. 1592	10 Ap. 1593	—	4	22
25	—	24 Oct. 1597	9 Feb. 1598	—	3	16
26	—	7 Oct. 1601	29 Dec. 1601	—	2	22
27	James I.	19 Mar. 1603	9 Feb. 1611	7	10	21
28	—	5 Ap. 1614	7 June 1614	—	2	2
29	—	30 Jan. 1620	8 Feb. 1621	1	—	9
30	—	19 Feb. 1623	24 Mar. 1625	2	1	5
31	Charles I.	17 May 1625	12 Aug. 1625	—	2	26
32	—	6 Feb. 1626	15 June 1626	—	4	9
33	—	17 Mar. 1627	10 Mar. 1628	—	11	23

No. of Parliaments.	Names of the Monarchs.	When met:	When dissolved:	Expired.		
				Y:	M:	D:
34	_____	13 Ap. 1640	5 May 1640	—	—	22
35	_____	3 Nov. 1640	20 Ap. 1653	12	5	17
36	Charles II	25 Ap. 1660	29 Dec. 1660	—	8	4
37	_____	8 May 1661	24 Jan. 1679	16	8	16
38	_____	6 Mar. 1679	12 July 1679	—	4	6
39	_____	17 Oct. 1679	18 Jan. 1681	1	3	1
40	_____	21 Mar. 1681	28 Mar. 1681	—	—	7
41	James II.	12 Mar. 1685	28 July 1687	2	4	16
42	_____	22 Jan. 1688	26 Feb. 1689	1	1	4
43	Wm. III.	20 Mar. 1689	11 Oct. 1695	6	6	22
44	_____	27 Nov. 1695	7 July 1698	2	7	10
45	_____	24 Aug. 1698	19 Dec. 1700	2	3	26
46	_____	26 Feb. 1700	11 Nov. 1701	1	8	5
47	_____	30 Dec. 1701	2 July 1702	—	6	2
48	Ann	20 Aug. 1702	5 Ap. 1705	2	7	16
49	_____	14 June 1705	15 Ap. 1708	2	10	1
50	_____	8 July 1708	21 Sep. 1710	2	2	13
51	_____	25 Nov. 1710	8 Aug. 1713	2	8	14
52	_____	12 Nov. 1713	15 Jan. 1715	1	2	3
53	George I.	17 Mar. 1715	10 Mar. 1721	5	11	21
54	_____	10 May 1722	5 Aug. 1727	5	2	26
55	George II.	28 Nov. 1727	18 Ap. 1734	6	4	21
56	_____	13 June 1734	28 Ap. 1741	6	10	15
57	_____	25 June 1741	18 June 1747	5	11	24
58	_____	13 Aug. 1747	8 Ap. 1754	6	7	26
59	_____	31 May 1754	20 Mar. 1761	6	9	20
60	Geo. III.	19 May 1761	12 Mar. 1768	6	9	21
61	_____	10 May 1768	30 Sep. 1774	6	4	20

A LIST of the MAJORITY of this HOUSE OF COMMONS, shewing how they voted upon *Four* very important questions.

1. The expulsion of Mr. Wilkes.
2. For Colonel Lutterell being duly elected for the county of Middlesex, though Mr. Wilkes had a majority of 847 votes.
3. For the commitment of the Lord Mayor to the Tower, for faithfully discharging the duties of his office, as the first Magistrate of the City of London.
4. Against rescinding the resolution of the House of Commons, concerning the Middlesex election, on the 26th of April 1773, the day that Mr. Wilkes attended, agreeable to the summons of the Sheriffs of Middlesex, to take his seat as Member of the county of Middlesex.

*The figures preceding the names refer to the different resolutions for which they voted.*

- |   |   |   |   |  |
|---|---|---|---|--|
| 1 | 2 | 3 | 4 | ROBERT ADAM, Architect to the King   |
| 1 | 2 | 3 | 4 | William Aislaby, Auditor of the Imprest  |
| 1 | 2 |   |   | Charles Alanfon, Mr. Aislaby's son-in-law  |
|   |   | 3 | 4 | Charles Ambler, King's Council, and Solicitor-General to the Queen   |
| 1 | 2 | 3 | 4 | Charles Amcotts, Lieutenant-Colonel of the Militia   |
| 1 | 2 |   | 4 | William Amherst, a Colonel, and Aid-de-Camp to the King  |
| 1 | 2 | 3 | 4 | Sir John Anstruther  |
|   | 2 | 3 | 4 | William Ashburnham, Deputy Keeper of the Great Wardrobe  |
| 1 | 2 |   |   | Edward Bacon, Chairman of Elections  |
| 1 | 2 | 3 | 4 | Anthony Bacon, Contractor for Stores, African and West-India affairs   |
| 1 | 2 | 3 | 4 | Sir William Bagot, his brother, a Commissioner of Excise   |
| 1 | 2 |   | 4 | Charles Baldwin, brought in by Lord Gower  |
| 1 | 2 | 3 | 4 | Lord Barrington, Secretary at War  |
| 1 | 2 | 3 | 4 | Lord Bateman, Master of the Buck Hounds  |
| 1 | 2 | 3 | 4 | Sir Edward Baynton, Surveyor of the Duchy of Cornwall  |
| 1 | 2 | 3 | 4 | Lord Beauchamp, son to Lord Hertford, Chamberlain to the King  |
| 1 |   |   | 4 | Lord Bellasysse  |
|   |   |   | 4 | Lord Brownlow Bertie, brother to the Duke of Ancafter  |
|   |   |   | 4 | Lord Robert Bertie, Lieutenant-General, Colonel of Foot, and Lord of the Bedchamber, Uncle to the Duke of Ancafter |
|   |   | 3 | 4 | Sir Walter Blacket   |

- 1 2 Sir Edward Blacket
- 3 Patrick Blake, Esq;
- 4 John Bond, Esq;
- 3 Charles Boon, Esq;
- 1 2 3 Lieut. Gen. Boscawen, Governor of Scilly
- 1 2 4 Edward Boscawen, Lieut. Gen. and nephew to Lord Falmouth, Captain of the Band of Pensioners
- 1 2 4 George Boscawen, jun. Lieut. of Horse Grenadiers
- 1 2 3 4 Thomas Bradshaw, late Secretary to the Treasury, and now a Pensioner
- 4 Charles Brett
- 4 Sir Henry Bridgeman
- 1 2 3 Hon. James Brudenell, Master of Robes to the King
- 2 3 4 George Bridges Brudenell, Clerk, Comptroller to his Majesty's Household
- 1 2 3 Richard Bull, Lord Warden of the Stannaries, and Steward of Cornwall
- 1 2 3 4 John Buller, sen. Lord of the Admiralty, and Comptroller of the Mint
- 1 2 3 John Burgoyne, Colonel of Dragoons, and Governor of Fort William
- 3 Michael Byrne, Esq.
- 1 2 3 4 Sir Harry Burrard, Ranger of New Forest, and Governor of Calshot Castle
- 1 2 3 4 Peter Burrell, Surveyor General of the Crown Lands
- 1 2 3 4 Dr. William Burrell, Chancellor of Worcester
- 1 2 3 4 Charles Sloan Cadogan, Master Worker of the Mint
- 1 2 3 Lord Fred. Campbell, Lord Register of Scotland
- 1 2 3 Robert Campbell, Lieut. Col. and Receiver-General of the Customs in Scotland
- 4 John Caswall, Deputy Paymaster General
- 4 John Cator, a Contractor
- 4 Henry Clinton, a Major General, Colonel of Foot, and Groom of the Bedchamber to the Duke of Cumberland
- 4 Sir James Cockburn, a Director of the India Company
- 3 Earl of Catherlough
- 1 2 3 4 Earl of Clanbrassil, Chief Remembrancer of the Exchequer in Ireland
- 1 2 3 4 Lord Viscount Clare, Vice Treasurer of Ireland
- 3 4 Sir Thomas Clavering
- 1 2 3 4 William Clayton
- 1 2 3 4 General Conway, Lieut. Gen. of Ordnance, Chamberlain to the King, and Constable of Dublin Castle for life
- 3 4 Henry Seymour Conway

- 4 Richard Seymour Conway
- 3 4 Lord Conyngham, Vice Admiral of Ulster
- 4 John Conyers
- 1 2 3 4 Grey Cooper, Secretary to the Treasury
- 4 William Cornwallis, Captain in the Navy
- 1 2 3 4 Sir John Hynde Cotton
- 1 2 3 4 Sir Lynch Cotton, Receiver General of the King's  
Quit Rents, North Wales
- 1 2 Thomas Craven, Rear Admiral of the Blue
- 1 2 3 4 John Crawford
- 1 2 3 4 Thomas Crefwell, Purveyor of Chelsea Hospital
- 4 Estcourt Crefwell
- 4 John Crewe
- 1 Richard Crofts
- 1 2 3 4 Peregrine Cust, a Contractor and Director of Green-  
wich Hospital
- 1 2 3 4 Sir Brownlow Cust
- 3 4 Francis Cust, Counsel to the Admiralty and Navy,  
and University of Cambridge
- 1 3 4 Thomas De Grey, Lieut. Colonel of Militia
- 1 Sir John Hufsey Delaval
- 1 3 4 William Dickenson
- 3 4 Hon. Charles Ditton
- 3 4 John Dodd, Lieut. Col. of Militia
- 1 3 4 Sir William Dolben
- 1 2 3 4 William Douglas
- 2 3 4 John St. Leger Douglas
- 1 2 3 4 Archibald Douglas, Colonel of Dragoons, and Lieut.  
General
- 4 Francis William Drake
- 1 4 William Drake, sen. Colonel of Militia
- 1 4 William Drake, jun.
- 1 2 3 4 Adam Drummond, Contractor for the Troops in  
America
- 1 2 3 4 J. Drummond, Gentleman of the King's Privy  
Chamber
- 1 2 3 4 Sir Lawrence Dundas, Vice Admiral of Shetland and  
the Orkneys
- 1 2 3 4 Thomas Dundas, jun. Orkney, &c.
- 1 2 3 Thomas Dundas, Stirlingshire
- 3 James Dundas
- 1 2 3 4 John Durand, Contractor for Masts, &c.
- 1 George Durant, was Paymaster of the Forces abroad,  
and Agent for the Prize Money of the Havannah
- 1 2 3 4 Jeremiah Dyson, Lord of the Treasury, and Pen-  
sioner Extraordinary

1 Arch.

- 1 2 3 4 Arch. Edmonstone, a Commissioner of Paving  
 1 2 3 4 William Egerton, Captain of Horse Guards, and Yeoman of the Jewel Office  
 1 2 3 4 Sir Gilbert Elliot, Treasurer of the Navy, Keeper of the Signet, &c.  
 1 2 3 4 Welbore Ellis, Vice Treasurer of Ireland  
 1 2 4 William Evelyn, Major General and Colonel  
 1 2 William Ewer, Treasurer of the Levant Company  
 1 2 4 Henry Fane, uncle to the Earl of Westmoreland  
 4 Henry Fane, brother to the Earl of Westmoreland, and Surveyor of the King's private Roads, &c.  
 3 4 Sir Charles Farnaby  
 1 2 4 William Fellows  
 1 Earl of Fife  
 1 2 4 Sir John Filmer  
 3 4 Hon. Rich. Fitzpatrick, Ensign in the Guards  
 1 2 3 4 Col. Fitzroy, Vice Chamberlain to the Queen, Col. of Dragoons, and brother to the Duke of Grafton  
 3 Sir Robert Fletcher  
 1 2 3 4 Zac. Phil. Fonereau, Contractor for Provisions for Minorca and Gibraltar  
 1 4 Alexander Forrester  
 1 2 3 4 Hon. Stephen Fox, eldest son of Lord Holland  
 3 4 Charles Fox, son of Lord Holland, then Lord of the Admiralty  
 3 4 Simon Frazer, Col. in the Army  
 1 2 3 4 Sir Charles Frederick, Surveyor-General of the Ordnance, &c.  
 1 2 Thomas Edward Freeman, Gentleman of the Privy Chamber  
 1 3 4 Rose Fuller  
 3 4 Lord Visc. Gage, Paymaster of the Pensions  
 1 2 3 Alexander Garden  
 1 2 3 4 Lord Garlies, a Lord of Trade  
 3 4 Bamber Gascoyne, Steward of the Marshalsea Court  
 3 4 Sir Samson Gideon, son-in-law to the late Lord Chief Justice Wilmot, and brother-in-law to Lord Gage  
 1 2 3 4 Thomas Gilbert, Comptroller of the Wardrobe  
 1 2 3 4 Sir Alexander Gilmour, Clerk of the Board of Green Cloth  
 1 2 Sir John Glynne, Captain of Militia  
 1 2 Hon. William Gordon, Lieut. Col. in the Army  
 1 2 3 Major General Græme, Secretary to the Queen, and Colonel to the 19th Regiment of Foot  
 1 2 3 Francis Grant, Major Gen. and Col. in the Army  
 1 2 3 Lord Greville, a Commissioner of Trade

1 Hon.



- 1 2 3 4 Hon. John Grey  
 1 2 Lord Archibald Hamilton, was for Lancashire  
 1 2 3 4 Walden Hanmer  
 1 2 William Harcourt, Lieut. Colonel, and Groom of  
 the Bedchamber  
 4 Sir Charles Hardy, Admiral of the Blue, Master and  
 Director of Greenwich Hospital  
 1 2 3 Robert Harley  
 1 4 Thomas Harley, Alderman of London, and Con-  
 tractor for cloathing the Army  
 4 James Harris, sen.  
 4 William Nevill Hart, late a Banker in Pall-mall  
 1 2 3 4 Edward Harvey, Adjutant General, and Colonel of  
 the 3d Regiment of Horse  
 1 2 Sir Edward Hawke  
 1 2 M. Bladen Hawke  
 3 Dr. Hay, Dean of the Arches, &c.  
 1 2 3 4 Robert Hepburne  
 3 Henry Herbert, Secretary of Jamaica  
 3 4 Augustus Hervey, Groom of the Bedchamber, Lord  
 of the Admiralty, and Col. of Marines  
 1 4 Noel Hill  
 1 2 3 4 Lord Hinchinbrook, son of Lord Sandwich, and Vice  
 Chamberlain to the King  
 3 4 Richard Hopkins, Clerk to Board of Green Cloth  
 3 4 Benjamin Hopkins, Alderman of London  
 3 Sir Henry Houghton  
 1 3 4 George Howard, Governor of Chelsea Hospital, and  
 Col. of Dragoons  
 1 2 Lord Visc. Howe, Rear Admiral of the Blue  
 1 2 4 Hon. Willam Howe, a Colonel, and Lieut. Governor  
 of the Isle of Wight  
 1 3 4 Richard Jackson, Counsel to South Sea Company,  
 Board of Trade, &c.  
 3 4 Charles Jenkinson, Lord of the Treasury  
 1 2 4 John Jenkinson, Gentleman Usher to the Queen,  
 and Captain in the Army  
 1 2 George Jennings  
 1 2 3 4 Soame Jenyns, a Lord of Trade  
 1 George Johnstone, a Captain in the Navy  
 3 William Jolliffe, a Lord of Trade  
 1 2 3 4 Robert Jones, Contractor for Remittances to Minorca  
 1 2 3 Lord Irnham  
 4 Whitshed Keene  
 1 2 4 David Kennedy  
 1 2 Edward Kynaston

- 3 James Laroche  
 1 2 3 4 Peter Legh, a Contractor  
 4 Edward Lewis  
 1 2 3 Nicholas Linwood, Contractor of Remittances to  
 Gibraltar  
 4 Earl of Lincoln  
 1 3 4 Lord Lisburne, for Cardiganshire, Lord of the Ad-  
 miralty  
 4 Thomas Lockhart  
 3 Richard Lowndes  
 2 3 4 Sir James Lowther, Colonel of Cumberland  
 Westmoreland Militia  
 1 3 Henry Lawes Luttrell, Colonel in the Army, and  
 Adjutant General in Ireland  
 4 Sir William Lynch, Minister to the Court of Turin  
 1 2 3 4 Hon. Thomas Lyon  
 3 Major General Mackay, Governor of Tinnmouth Fort,  
 and Colonel of Fusileers  
 1 2 3 James Stewart Mackenzie, Lord Privy Seal of Scots-  
 land, and Brother to the Earl of Bute  
 3 Herbert Mackworth  
 1 2 3 William Macdowall  
 1 2 Lord Robert Manners, Colonel of the Guards, and  
 Lieutenant Governor of Hull  
 1 2 4 John Manners, Housekeeper at Whitehall  
 3 4 Samuel Martin, Treasurer to the late Princess Dow-  
 ager of Wales  
 1 2 3 4 James Maisterfon, Barrack Master General  
 2 Sir George Macartney, Secretary to the Lord Lieu-  
 tenant of Ireland, son-in-law to Lord Bute  
 4 Lord Melbourne  
 3 Joseph Mellish  
 1 Paul Methuen  
 1 2 3 4 Thomas Molynæux, Captain in the Guards  
 1 2 3 4 H. Montgomery, Lord Advocate for Scotland  
 3 Charles Morgan  
 3 4 Humphry Morrice, Lord Warden of the Stannaries,  
 and Steward of the Duchy of Cornwall  
 1 2 3 4 John Moreton, Chief Justice of Chester, and Attor-  
 ney General to the Queen  
 1 Sir Roger Mostyn, Lord Lieutenant, and Colonel of  
 Militia  
 1 3 4 Lord Mountstuart  
 4 Hector Monro, a Lieutenant Colonel  
 3 James Murray  
 3 4 Arnold Nelbit

1 Richard

- 1 2 3 Richard Neville Neville
- 1 Sir Roger Newdigate
- 1 2 3 4 Lord North, First Lord of the Treasury, &c.
- 1 2 Sir Fletcher Norton, Chief Justice in Eyre
- 1 2 3 4 Wm. Norton, his son, Minister to the Swiss Cantons
- 2 George Nares, Oxford City, since made Judge
- 3 4 Robert Henry Ongley
- 1 2 3 4 Hon. George Onslow, Surry, Lord of the Treasury
- 1 2 3 4 G. Onslow, Guildford, Out Ranger of Windsor Forest, salary 700*l.* a year, formerly only 300*l.*
- 3 Sir G. Osborne, Groom of the Bedchamber, and Captain in the Guards
- 1 3 4 Earl of Upper Ossory
- 1 3 James Townsend Oswald
- 3 Paul Henry Ourry, a Captain in the Navy
- 4 Francis Page
- 4 Robert Palk
- 1 2 3 4 Lord Viscount Palmerston, Lord of the Admiralty
- 1 3 4 Earl of Panmure, a General and Colonel of Dragoons
- 1 2 Hon. G. Parker, Major Gen. and Col. of the Guards
- 1 2 Sir Ralph Payne, since made Knight of the Bath, and a Governor in America
- 4 Henry Penton, Letter-carrier to his Majesty
- 1 2 4 Griffith Phillips
- 3 4 R. B. Phillipson, Lieut. Colonel
- 1 2 3 4 Lord Pigot
- 1 2 3 4 Hugh Pigot, Captain in the Navy, and Colonel of Marines
- 1 2 4 George Pitt, Colonel of Militia, Dorsetshire
- 3 4 Honorable Ann Paulet
- 1 2 3 4 James Pringle, Colonel and Master of the Works in Scotland
- 1 2 3 4 John Pringle, Consul of Madeira
- 3 4 Sir Thomas Pye, Vice Admiral of the Red
- 1 W. Pulteney
- 1 Isaac Martin Rebow
- 1 2 3 Fr. Reynolds, Provost Marshal of Barbadoes
- 1 2 3 4 Hon. G. Rice, Treasurer of the King's Chamber, and son-in-law to Lord Talbot, the Lord Steward of his Majesty's Household
- 1 2 3 4 Richard Rigby, Paymaster of the Forces, and Master of the Rolls in Ireland, &c. &c.
- 1 2 3 4 John Robinson, Secretary to the Treasury
- 1 2 3 4 John Ross, a Captain in the Navy
- 3 4 Nathaniel Ryder
- 1 2 3 Henry St. John, Wotton Bassett

- 4 Earl of Seaforth
- 3 4 John Scot, Major General and Colonel of Foot
- 1 2 3 Charles Scudamore, Deputy Ranger of Whittlebury Forest, and Curfitor of the Chancery in Ireland
- 1 2 3 Sir John Seabright, Lieutenant General and Colonel of Foot
- 4 Earl of Sefton, son-in-law to the Earl of Harrington
- 1 2 3 4 George Selwyn, Surveyor of the Mint, Paymaster of the Board of Works, and Register of the Chancery in Barbadoes
- 1 2 3 Sir John Shelley, Treasurer of the Household, Keeper of the Records in the Tower, and Clerk of the Pipe in the Exchequer
- 1 3 Hans Sloane, Deputy Cofferer to his Majesty
- 1 Edward Southwell
- 1 3 4 Lord Charles Spencer, Lord of the Admiralty
- 1 2 3 4 Honorable Hans Stanley, Cofferer of the Household, and Governor of the Isle of Wight
- 1 4 Thomas Staunton
- 3 4 Lord Stavordale
- 4 William Skryne
- 1 2 3 4 John Stephenson, a Contractor
- 1 2 3 4 Philip Stevens, Secretary to the Admiralty
- 1 2 3 4 Hon. James Stuart, second son to Lord Bute
- 1 2 4 Hon. Keith Stuart, a Captain in the Navy, since made Governor of Jamaica
- 4 William Stuart
- 4 John Stuart
- 1 2 Sir Simon Stuart, Chamberlain of the Exchequer
- 3 Laurence Sullivan
- 1 2 Sir George Suttie
- 1 Robert Paris Taylor
- 1 Earl of Thomond, Lord Lieutenant of Somersetshire
- 1 2 3 Henry Thrale
- 1 2 3 Edward Thurlow, Attorney General
- 3 4 Charles Townshend, Commissioner of the Treasury
- 1 2 3 4 John Tucker, Paymaster of Marines
- 1 2 Clement Tudway
- 1 2 4 Sir Charles Tynte, Colonel of Militia
- 1 3 Hon. Frederick Vane, Master of the Jewel Office
- 1 2 3 Arthur Vanfittart, Colonel of the Berkshire Militia
- 1 2 3 4 Richard Vernon, Clerk of the Board of Green Cloth
- 4 James Wallace, King's Council, and Attorney General for Durham and Lancaster
- 1 2 Robert Waller, Master of St. Catharine's
- 3 4 Thomas Walpole

- 3 4 Richard Walpole
  - 1 2 Lord Waltham
  - 1 2 4 John Ward
  - 1 2 4 Sir George Warren
  - 3 4 Pat. Warrsnder, Lieut. Colonel, and King's Remem-  
brancer in the Court of Exchequer in Scotland
  - 1 2 3 Nathaniel Webb
  - 1 2 3 Alexander Wedderburne, Solicitor General
  - 1 2 3 4 James Wemyss, an Officer in the Navy
  - 3 Thomas Whately, Under Secretary of State
  - 1 4 Samuel Whitbread
  - 1 2 3 4 James Whitbread
  - 1 2 3 Sir Cha. Whitworth, Chairman of Ways and Means
  - 3 Andrew Wilkinson
  - 1 2 Sir Edward Winnington
  - 1 2 4 William Wollaston, Colonel of Militia
  - 1 2 3 Thomas Worley, Surveyor of the Board of Works
  - 1 2 3 4 Sir J. Wrottesley, Colonel in the Guards
  - 2 3 Matthew Wyldbore
  - 1 2 Tho. Wynne, Auditor of Land Revenues in Wales
  - 1 2 Glynn Wynne, Colonel in the Army.
- In all 290.

A LIST of the MEMBERS of the HOUSE of COMMONS,  
elected at the GENERAL ELECTIONS in the Years 1747, 1754,  
1761, and 1768; being the Periods included in this Work.

*Abington.*

- 1747 John Morton  
54 The same  
61 The same  
68 The same

*Amerham.*

- |                    |                       |
|--------------------|-----------------------|
| 1747 William Drake | Henry Marshal         |
| 54 The same        | The same              |
| 61 The same        | The same              |
| 68 The same        | William Drake, junior |

*St. Alban's.*

- |                   |                    |
|-------------------|--------------------|
| 1747 James West   | Sir Peter Thompson |
| 54 The same       | Lord Grimston      |
| 61 The same       | Lord Newnham       |
| 68 Richard Sutton | John Ratcliff      |

*Aldborough, Suffolk.*

- |                      |                  |
|----------------------|------------------|
| 1747 Z. P. Fonnereau | W. Wyndham Ashe  |
| 54 The same          | The same         |
| 61 The same          | Philip Fonnereau |
| 68 The same          | Nicholas Linwood |

*Aldborough, Yorkshire.*

- |                       |                   |
|-----------------------|-------------------|
| 1747 Andrew Wilkinson | Nat. Newnham      |
| 54 The same           | William Pitt      |
| 61 The same           | Nat. Cholmley     |
| 68 The same           | Hon. A. Beauchamp |

*Andover.*

- |                           |                       |
|---------------------------|-----------------------|
| 1747 John Pollen          | Lord Lymington        |
| 54 Fr. Blake Delaval      | John Whitwell Griffin |
| 61 The same               | Sir J. W. Griffin     |
| 68 Sir J. Griffin Griffin | B. Lethcote           |

*Appley.*

- |                       |                   |
|-----------------------|-------------------|
| 1747 Sir John Ramsden | Randle Wilbraham  |
| 54 Philip Honeywood   | Fletcher Norton   |
| 61 The same           | John Stanwix      |
| 68 The same           | Charles Jenkinson |

*Ipswich.*

1747	Samuel Kent	Edward Vernon
54	The same	Thomas Staunton
61	Francis Vernon	The same
68	Wm. Wollaston	The same

*Kent.*

1747	Sir Roger Twisden	Sir Edward Deering
54	Robert Fairfax	Lewis Watson
61	The same	Sir Wynd. Knatchbull
68	Sir Brook Bridges	J. Fred. Sackville

*Knareborough.*

1747	Rich. Arundel	Sir Henry Slingsby
54	Robert Boyle	The same
61	Lord J. Cavendish	The same
68	Sir A. T. Abdy	R. B. Walsingham

*Lancashire.*

1747	Lord Strange	Rich. Shuttleworth
54	The same	Peter Bold
61	The same	Ja. Shuttleworth
68	The same	Arch. Hamilton

*Lancaster.*

1747	Francis Reynolds	Edward Martyn
54	The same	George Warren
61	The same	The same
68	The same	The same

*Launceston.*

1747	Sir John St. Aubin	Sir Wm. Morice
54	George Lee	Humphry Morice
61	Peter Burrell	The same
68	William Amherst	The same

*Leicestershire.*

1747	Edward Smith	Wrightson Munday
54	The same	Sir Thomas Palmer
61	Sir Tho. Cave	The same
68	The same	Sir John Palmer

*Leicester.*

1747	James Wigley	George Wrighte
54	The same	The same
61	The same	The same
68	Booth Grey	Eyre Coote

*Leominster.*

*Leominster.*

1747	Sir Rob. Cornwall	James Peachey
54	Rich. Georges	Sir C. Hanb. Williams
61	Jen. Shaftoe	Chafe Pryfe
68	Lord Bateman	John Carnac

*Leſkard.*

1747	Charles Trelawney	Sir George Lee
54	Edward Nugent	Philip Stanhope
61	Anthony Champion	Philip Stevens
68	Edward Eliot	Samuel Salt

*Leſwithiel.*

1747	Rich. Edgcumbe	Ja. Edw. Colleton
54	Sir Tho. Clarke	The fame
61	George Howard	The fame
68	Henry Cavendiſh	Charles Brett

*Lewes.*

1747	Sir Francis Poole	Tho. Sergifon
54	The fame	The fame
61	The fame	The fame
68	Tho. Hampden	Thomas Hay

*Lincolnſhire.*

1747	Thomas Whichcott	Robert Viner
54	The fame	The fame
61	The fame	Lord Brownlow Bertie
68	The fame	The fame

*Lincoln.*

1747	Charles Monſon	Coningsby Sibthorpe
54	George Monſon	John Chaplin
61	The fame	Coningsby Sibthorpe
68	Thomas Scroope	Conſtantine J. Phipps

*Liſchfield.*

1747	Rich. Leveſon Gower	Thomas Anſon
54	Henry Vernon	The fame
61	Hugo Meynel	The fame
68	Tho. Gilbert	The fame

*Liverpool.*

1747	Tho. Brereton	Rich. Gildart
54	Sir Ellis Cunliffe	Charles Pole
61	The fame	Sir Wm. Meredith
68	Rich. Pennant	The fame



*London.*

1747	Sir J. Barnard	Sir W. Calvett
	Ste. Theo. Janffen	Slingsby Bethel
54	Sir J. Barnard	Sir Rob. Ladbroke
	Wm. Beckford	Sir Rich. Glynn
61	Sir Rob. Ladbroke	Sir Rich. Glynn
	Wm. Beckford	Thomas Harley
68	Sir Rob. Ladbroke	Thomas Harley
	Wm. Beckford	Barlow Trecothick

*Ludlow.*

1747	Rich. Herbert	Sir Wm. Corbet
54	Edw. Herbert	Hen. Bridgman
61	The fame	The fame
68	The fame	Wm. Fellows

*Luggerball.*

1747	G. A. Selwyn	Tho. Farrington
54	Sir John Bland	Tho. Hayward
61	Tho. Whateley	John Patterson
68	Lord Garlies	Penniston Lambé

*Lymington.*

1747	Harry Burrard	Charles Powlet
54	The fame	Lord Harry Powlet
61	The fame	Adam Drummond
68	The fame	The fame

*Lyme.*

1747	Henry Holt Henley	John Scroope
54	Tho. Fane	Henry Fane
61	The fame	The fame
68	Lord Burgherfh	The fame

*Lynn.*

1747	Sir John Turner	Horatio Walpole
54	The fame	The fame
61	The fame	The fame
68	The fame	Thomas Walpole

*Maidstone.*

1747	Rob. Fairfax	W. Horsen. Turner
54	Savile Finch	Gab. Hanger
61	Wm. Northey	Rose Fuller
68	Charles Martham	Rob. Gregory

*Malden.*

*Malden.*

- |      |                 |                  |
|------|-----------------|------------------|
| 1747 | Sir Rich. Lloyd | Rob. Colebrook   |
| 54   | John Bullock    | The same         |
| 61   | The same        | Bamber Gascoygne |
| 68   | The same        | John Huske       |

*Malmfbury.*

- |      |                  |               |
|------|------------------|---------------|
| 1747 | John Lee         | James Douglas |
| 54   | Lord G. Bentinck | Brice Fisher  |
| 61   | Lord Tilney      | Tho. Conolly  |
| 68   | Lord Donegal     | Tho. Howard   |

*Malton.*

- |      |             |              |
|------|-------------|--------------|
| 1747 | John Mostyn | Henry Finch  |
| 54   | The same    | The same     |
| 61   | The same    | Savile Finch |
| 68   | Lord Downe  | The same     |

*Marlborough.*

- |      |                     |                |
|------|---------------------|----------------|
| 1747 | Sir J. Hinde Cotton | John Talbot    |
| 54   | The same            | John Warde     |
| 61   | Rob. Brudenel       | Robert Long    |
| 68   | The same            | Sir James Long |

*Marlow.*

- |      |                   |                |
|------|-------------------|----------------|
| 1747 | Wm. Ockenden      | Merick Burrell |
| 54   | Charles Churchill | Daniel Moore   |
| 61   | Wm. Clayton       | William Burt   |
| 68   | The same          | Wm. Dickenson  |

*St. Maw's.*

- |      |               |               |
|------|---------------|---------------|
| 1747 | Robert Nugent | Lord Sundon   |
| 54   | The same      | H. S. Conway  |
| 61   | Edm. Nugent   | Rich. Hufley  |
| 68   | The same      | Geo. Boscawen |

*Melcomb.*

- |      |                |                       |
|------|----------------|-----------------------|
| 1747 | Geo. Dodington | Edm. Stungate Beaghan |
| 54   | The same       | John Tucker           |
| 61   | John Olmuis    | Richard Glover        |
| 68   | Lord Walsham   | John Tucker           |

*St. Michael.*

- |      |                 |              |
|------|-----------------|--------------|
| 1747 | Albert Nesbit   | Thomas Clark |
| 54   | Simon Luttrell  | Rich. Hufley |
| 61   | John Stephenson | James Scawen |
| 68   | The same        | The same     |

*Monmouthshire.*

1747	William Morgan	Capel Hanbury
54	The same	The same
61	The same	The same
68	Thomas Morgan	John Hanbury

*Monmouth.*

1747	Fulk Grevile
54	Benj. Bathurst
61	The same
68	John Stepney

*Midhurst.*

1747	Sir John Peachey	Thomas Bootle
54	The same	John Serjeant
61	William Hamilton	John Burgoyne
68	C. J. Fox	Lord Stavordale

*Middlesex.*

1747	Sir Hugh Smithson	Sir W. Beauchamp Proctor
54	George Cooke	The same
61	The same	The same
68	The same	John Wilkes

*Milbourn Port.*

1747	Michael Harvey	Jeffry French
54	Thomas Medlicott	Edward Waller
61	The same	The same
68	The same	The same

*Minehead.*

1747	Charles Whitworth	Per. Wind. O'Brien
54	The same	Daniel Boone
61	Henry Shiffner	Lord Thomond
68	H. Fownes Luttrell	Cha. Whitworth

*Morpeth.*

1747	Lord Limerick	Robert Ord
54	Tho. Duncombe	Sir M. Featherstonehaugh
61	The same	Lord Garlies
68	Sir M. W. Ridley	Peter Beckford

*Newark.*

1747	Lord W. Manners	Job. Staun. Charlton
54	John Manners	The same
61	The same	Thomas Thornton
68	The same	John Shelley

*New-*

*Newcastle.*

1747 Sir Walter Blacket	Matthew Ridley
54 The fame	The fame
61 The fame	The fame
68 The fame	Sir M. W. Ridley

*Newcastle, Staffordshire.*

1747 Bapt. Lev. Gower	Lord Parker
54 The fame	J. Waldegrave
61 Henry Vernon	The fame
68 J. Wrottesley	Alexander Forrester,

*Newport.*

1747 Thomas Bury	Nicholas Herbert
54 Edward Bacon	John Lee
61 R. Bull	The fame
68 The fame	William De Grey

*Newport, Hants.*

1747 Bluet Wallop	Thomas Lee Dummer
54 Charles Holmes	The fame
61 W. Raw. Erle	The fame
68 Hans Sloane	John Eames

*Northumberland.*

1747 Sir W. Middleton	John Fenwick
54 Sir H. Grey	George Delaval
61 The fame	The fame
68 Sir Edw. Blacket	The fame

*Norwich.*

1747 Lord Hobart	Hor. Walpole
54 Harbord Harbord	Ew. Bacon
61 The fame	The fame
68 The fame	The fame

*Nottinghamshire.*

1747 Lord Robert Sutton	John Thornhagh
54 The fame	John Hewet
61 The fame	The fame
68 T. Willoughby	The fame

*Nottingham.*

1747 Lord Howe	Sir Charles Sedley
54 William Howe	Sir W. Aston
61 The fame	John Plumptre
68 The fame	The fame

*Newton,*

*Newton, Lancashire.*

1747	Peter Legh	Sir T. Grey Egerton
54	The same	Ran. Wilb. Bootle
61	The same	The same
68	The same	A. J. Keck

*Newton, Hants.*

1747	Sir J. Barrington	Maurice Bockland
54	The same	Harcourt Powel
61	The same	The same
68	The same	The same

*Norfolk.*

1747	George Townshend	Armine Woodhouse
54	The same	The same
61	The same	The same
68	Sir Edward Aftley	Thomas De Grey

*Northallerton.*

1747	Henry Peirse	Henry Lascelles
54	Edward Lascelles	Daniel Lascelles
61	The same	The same
68	The same	The same

*Northamptonshire.*

1747	Sir Edm. Ilham	Thomas Cartwright
54	The same	William Cartwright
61	The same	The same
68	The same	Sir William Dolben

*Northampton.*

1747	George Montagu	George Compton
54	Charles Montagu	Richard Backwell
61	Frederick Montagu	Spencer Compton
68	Sir G. B. Rodney	Sir George Osborne

*Oathampton.*

1747	Thomas Pitt	Sir G. Lyttelton
54	Robert Vyner	The same
61	Wen. Coke	Alexander Forrester
68	Thomas Pitt	Thomas Brand

*Oxford.*

1747	J. Waldegrave	H. B. Legge
54	John Offley	The same
61	The same	Thomas Worsley
68	Lord Beauchamp	Edward Colman

*Oxfordshire.*

*Oxfordshire.*

- |                       |                   |
|-----------------------|-------------------|
| 1747 Sir Ja. Dashwood | Norris Bertie     |
| 54 Lord Parker        | Sir Edward Turner |
| 61 Lord C. Spencer    | Sir Ja. Dashwood  |
| 68 The same           | Lord Wenman       |

*Oxford University.*

- |                     |              |
|---------------------|--------------|
| 1747 Lord Cornbury  | Per. Palmer  |
| 54 Sir R. Newdigate | The same     |
| 61 The same         | The same     |
| 68 The same         | Francis Page |

*Oxford City.*

- |                     |                |
|---------------------|----------------|
| 1747 Thomas Rowney  | Philip Herbert |
| 54 The same         | Robert Lee     |
| 61 Sir T. Stapelton | The same       |
| 68 William Harcourt | George Nares   |

*Penryn.*

- |                      |                |
|----------------------|----------------|
| 1747 George Boscawen | Henry Conway   |
| 54 The same          | Rich. Edgcumbe |
| 61 The same          | John Plumptre  |
| 68 Francis Baffett   | Hugh Pigot     |

*Peterborough.*

- |                     |               |
|---------------------|---------------|
| 1747 Edward Wortley | Matthew Lambe |
| 54 The same         | The same      |
| 61 Armsted Parker   | The same      |
| 68 Mat. Wyldbore    | The same      |

*Petersfield.*

- |                     |                  |
|---------------------|------------------|
| 1747 John Jolliffe  | William Conolly  |
| 54 W. G. Hamilton   | Sir John Philips |
| 61 John Jolliffe    | Richard Pennant  |
| 68 William Jolliffe | Welbore Ellis    |

*Plymouth.*

- |                   |                      |
|-------------------|----------------------|
| 1747 Arthur Sturt | Lord Visc. Beaucherk |
| 54 Samuel Dicker  | Lord Barrington      |
| 61 Sir G. Pococke | The same             |
| 68 Fr. Holbourne  | The same             |

*Plympton.*

- |                    |                   |
|--------------------|-------------------|
| 1747 Lord Sundon   | Richard Edgcumbe  |
| 54 George Edgcumbe | The same          |
| 61 George Treby    | Sir William Baker |
| 68 P. H. Ourry     | William Baker     |

*Pontefract.*

*Pontefract.*

1747	George Pitt	William Monckton
54	Lord Galway	Samb. Freeman
61	The same	W. G. Hamilton
68	The same	Sir Rowland Wynne

*Poole.*

1747	Joseph Gulston	Geo. Trenchard
54	The same	Sir R. Lyttelton
61	The same	Thomas Calcraft
68	Joshua Mauger	The same

*Preston.*

1747	James Shuttleworth	Nic. Fazakerly
54	Edward Starkey	The same
61	The same	The same
68	Sir P. Leicefter	Sir F. Standish

*Queenborough.*

1747	Richard Evans	Tho. Newnham
54	Cha. Frederick	Piercy Brett
61	The same	The same
68	The same	The same

*Reading.*

1747	John Conyers	R. N. Aldworth
54	William Strode	Lord Fane
61	John Dodd	Sir F. Knollys
68	The same	H. Vanfittart

*Retford.*

1747	William Mellish	John White
54	John Shelley	The same
61	The same	The same
68	Sir Cecil Wray	John Offley

*Richmond.*

1747	Sir Conyers D'Arcy	John Yorke
54	Lord Ancram	Thomas Yorke
61	The same	Sir Ra. Milbanke
68	Sir L. Dundas	Alex. Wedderburne

*Rippon.*

1747	Sir Cha. Varna	Wm. Aislaby
54	The same	The same
61	Wm. Laurence	The same
68	Cha. Allanfon	The same

*Rochester.*

*Rockingham.*

1747	Sir Chaloner Ogle	David Polhill	175
54	Isaac Townsend	Nicholas Haddock	175
61	The same	Lord Parker	175
68	John Calcraft	William Gordon	175

*Rutland.*

1747	James Noel	Lord Burleigh	175
54	Thomas Noel	Geo. Brudenell	175
61	The same	Thomas Cecil	175
68	The same	G. B. Brudenell	175

*Ryegate.*

1747	Charles Yorke	Charles Cocks	175
54	The same	The same	175
61	The same	The same	175
68	John Yorke	The same	175

*Salisbury.*

1747	Tho. Corbett	Stamp Brookbank	175
54	Lord Duncannon	George Clinton	175
61	John Cleveland	George Weymes	175
68	M. B. Hawke	Tho. Bradshaw	175

*Sarum.*

1747	Lord Middlesex	Lord Doneraile	175
54	Lord Pulteney	Thomas Pitt	175
61	Howel Gwynne	The same	175
68	John Craufurd	W. G. Hamilton	175

*New Sarum.*

1747	William Bouverie	Edw. Poore	175
54	The same	Julines Beckford	175
61	Edw. Bouverie	The same	175
68	The same	Henry Dawkins	175

*Scarborough.*

1747	Edwin Lascelles	Rog. Handasyde	175
54	Sir Ra. Milbanke	Wm. Osbaldeston	175
61	John Major	The same	175
68	Geo. Manners	F. W. Osbaldeston	175

*Shaftesbury.*

1747	Cuthbert Ellison	William Beckford	175
54	Sir Tho. Glavering	Ja. Brudenell	175
61	Sir Gilb. Heathcote	Samuel Touchet	175
68	Wm. Chaf. Grove	Ralph Payne	175



*Shoreham.*

1747	Rob. Briftow	Charles Frederick
54	The fame	Sir W. P. Williams
61	Lord Middleton	Lord Pollington
68	Sir S. Cornish	Per. Cust.

*Shropshire.*

1747	Sir John Ashley	Richard Lyster
54	The fame	The fame
61	The fame	The fame
68	The fame	Charles Baldwin

*Shrewsbury.*

1747	William Kynafton	Sir R. Gorbett
54	Thomas Hill	Robert Moore
61	The fame	Lord Clive
68	Noel Hill	The fame

*Somersetshire.*

1747	Thomas Prowfe	Sir C. K. Tynte
54	The fame	The fame
61	The fame	The fame
68	R. H. Coxe	The fame

*Southampton County.*

1747	Lord Harry Powlett	Francis Whithed
54	Lord Winchester	A. Thistlethwayte
61	Sir Simeon Stuart	H. B. Legge
68	The fame	Lord Henley

*Southampton.*

1747	Peter Delme	A. L. Swymmer
54	Hans Stanley	The fame
61	The fame	Henry Dawkins
68	The fame	Lord Palmerston

*Southwark.*

1747	Alex. Hume	Wm. Belchier
54	Wm. Hammond	The fame
61	Alex. Hume	Joseph Mawbey
68	H. Thrale	The fame

*Staffordshire.*

1747	W. Lev. Gower	Sir Walter Bagot
54	William Bagot	Henry Thynne
61	The fame	Lord Grey
68	The fame	The fame

*Stafford.*

*Stafford.*

1747 Wm. Chetwynd	John Robins
54 The same	W. Edw. Chetwynd
61 The same	The same
68 Lord Chetwynd	R. Whitworth

*Stamford.*

1747 Robert Barbor	John Proby
54 The same	John Thursby
61 John Chaplin	G. B. Brudenell
68 Geo. Howard	Geo. Aufreze

*Steyning.*

1747 Abraham Hume	Hitch Yonge
54 The same	The same
61 Frazer Honeywood	Tho. Tomlinson
68 Sir John Filmer	T. Edw. Freeman

*Stockbridge.*

1747 Daniel Boone	Wm. Chetwynd, junior
54 Lord Powercourt	John Gibbons
61 George Prescott	Nic. Linwood
68 Richard Worge	Richard Fuller

*Sudbury.*

1747 Richard Rigby	Tho. Fonnereau
54 Tho. Walpole	The same
61 John Henniker	The same
68 Patrick Blake	Walter Hammer

*Suffolk.*

1747 Sir Cordel Firebrace	John Affleck
54 The same	The same
61 Rowland Holt	Tho. Cha. Bunbury
68 Sir John Rous	The same

*Surrey.*

1747 Arthur Onslow	Lord Baltimore
54 The same	Thomas Budgen
61 George Onslow	Sir Francis Vincent
68 The same	The same

*Suffex.*

1747 Henry Pelham	James Butler
54 Thomas Pelham	John Butler
61 The same	The same
68 The same	Lord Geo. Lennox

*Tamworth*

1747	Sir Henry Harpur	Thomas Villiers
54	Sir Robert Burdett	Lord Villiers
61	The same	The same
68	Edward Thurlow	William De Grey

*Tavistock.*

1747	Sir R. Wrottesley	Thomas Brand
54	Richard Rigby	Jeffry French
61	The same	R. Nevile Aldworth
68	The same	Rich. Nev. Nevill

*Taunton.*

1747	Robert Webb	Sir C. Wyndham
54	Lord Carpenter	Robert Maxwell
61	The same	The same
68	Alex. Popham	Nat. Webb

*Tewkesbury.*

1747	Lord Gage	W. Dowdeswell
54	Nicholson Calvert	John Martin
61	The same	Sir W. Codrington
68	The same	The same

*Thetford.*

1747	Lord H. Beauclerk	C. Fitzr. Scudamore
54	The same	Herb. Westfaling
61	Aub. Beauclerk	H. S. Conway
68	John Drummond	The same

*Thirsk.*

1747	Fred. Frankland	Thomas Frankland
54	Roger Talbot	The same
61	Henry Grenville	The same
68	Sir T. Frankland	William Frankland

*Tiverton.*

1747	Hen. Coningham	Sir Dudley Ryder
54	Henry Pelham	Nath. Ryder
61	Charles Gore	The same
68	John Duntze	The same

*Totnes.*

1747	Sir John Strange	Charles Taylor
54	Browse Trist	Sir Richard Lloyd
61	The same	Rich. Sav. Lloyd
68	Peter Burrell	Philip Jennings

*Tregony.*

*Tregony.*

1747	Clau. Amyand	William Trevanion
54	John Fuller	The same
61	Abraham Hume	The same
68	John Grey	Thomas Pownall

*Truro.*

1747	John Boscawen	Edw. Boscawen
54	The same	The same
61	The same	John Boscawen
68	George Boscawen	Ed. Hu. Boscawen

*Wallingford.*

1747	Joseph Townsend	Richard Tonson
54	R. Nev. Aldworth	John Hervey
61	Sir John Gibbons	The same
68	John Aubrey	Robert Pigot

*Wareham.*

1747	John Pitt	R. B. Hodgkinson
54	The same	W. Aug. Pitt
61	The same	Tho. Erle Drax
68	Robert Palk	Whitshed Keene

*Warwickshire.*

1747	William Craven	Sir C. Mordaunt
54	The same	The same
61	The same	The same
68	W. Thock. Bromley	The same

*Wells.*

1747	George Hamilton	Francis Gwyn
54	Lord Digby	Charles Tudway
61	The same	The same
68	Clement Tudway	Robert Child

*Wendover.*

1747	John Hampden	Lord Verney
54	John Calvert	The same
61	Rich. Cavendish	Verney Lovett
68	Edmund Burke	Sir Robert Darling

*Wenlock.*

1747	Brooke Forrester	H. Hawkins Browne
54	The same	George Forrester
61	The same	Cecil Forrester
68	George Forrester	Sir H. Bridgman

*Woolly.*

*Wobly.*

1747	Manfel Powel	Savage Mostyn
54	James Crafter	Geo. Ven. Vernon
61	Henry Thynne	William Lynch
68	Frederick Thynne	Simon Luttrell

*Westbury.*

1747	Chauncy Townsend	Mat. Mitchell
54	The same	Per. Bertie
61	The same	The same
68	William Blackstone	The same

*Westlow.*

1747	J. Frederick	William Noel
54	The same	William Treclawney
61	Francis Buller	The same
68	James Townsend	William Graves

*Westminster.*

1747	Sir Peter Warren	Lord Trentham
54	Edw. Cornwallis	Sir John Croffe
61	The same	Lord Pulteney
68	Edwin Sandys	Lord Percy

*Westmoreland.*

1747	John Dalston	Edward Wilson
54	The same	Sir George Dalston
61	Sir James Lowther	John Upton
68	Thomas Fenwick	John Robinson

*Weymouth.*

1747	Rich. Plumer	Welbore Ellis
54	Lord J. Cavendish	The same
61	Sir Fr. Dashwood	John Tucker
68	Sir Cha. Davers	Jere. Dyfon

*Whitchurch.*

1747	Charles Wallop	John Selwyn
54	Thomas Townshend	George Jennings
61	The same	The same
68	The same	Henry Wallop

*Wigan.*

1747	Rich. Clayton	Richard Barry
54	Sir W. Meredith	The same
61	Sir Flet. Norton	Simon Luttrell
68	George Byng	Beaum. Hotham

*Wilton.*

*Wilton.*

1747 Robert Herbert	William Herbert
54 The same	The same
61 The same	The same
68 Herbert Herbert	Nich. Herbert

*Wiltshire.*

1747 Sir Robert Long	Edward Popham
54 The same	The same
61 The same	The same
68 Tho. Goddard	The same

*Winchester.*

1747 Henry Penton	George Brydges
54 The same	Lord Carnarvon
61 Henry Penton, jun.	Lord H. Powlett
68 The same	George Powlett

*Windsor.*

1747 Henry Fox	Lord G. Beaucherk
54 The same	John Fitzwilliam
61 Aug. Keppel	The same
68 The same	Lord G. Beaucherk

*Woodstock.*

1747 Lord Bateman	John Trevor
54 The same	Aut. Keck
61 The same	The same
68 Lord R. Spencer	William Gordon

*Worcestershire.*

1747 Edmund Pytts	Lord Deerhurst
54 The same	J. Bulk. Coventry
61 John Ward	William Dowdeswell
68 The same	The same

*Worcester.*

1747 Tho. Vernon	T. Geers Windford
54 The same	H. Crab Boulton
61 John Walfh	The same
68 The same	The same

*Wotton Bassett.*

1747 Martin Madan	Robert Neale
54 Tho. Crefwel	John Probyn
61 The same	Henry St. John
68 The same	The same

*Wycomb.*

*Wymb.*

1747	Edmund Waller	Edmund Waller jun.
54	Lord Shelburne	The same
61	Isaac Barré	Robert Waller
68	The same	The same

*Yarmouth, Norfolk.*

1747	Edw. Walpole	Charles Townsend
54	The same	The same
61	The same	The same
68	Richard Walpole	The same

*Yarmouth, Hants.*

1747	Thomas Holmes	Henry Holmes
54	The same	The same
61	The same	The same
68	Jervoise Clarke	Wm. Strode

*Yorkshire.*

1747	Sir Conyers D'Arcy	Sir Miles Stapylton
54	The same	Lord Downe
61	Sir George Saville	Edwin Lascelles
68	The same	The same

## CINQUE PORTS.

*Dover.*

1747	Lord Geo. Sackville	Thomas Revel
54	The same	William Cayley
61	Sir Jos. Yorke	Sir Edw. Simpson
68	The same	Lord Villiers

*Hastings.*

1747	James Pelham	Andrew Stone
54	The same	The same
61	Ja. Brudenel	Wm. Ashburnham
68	Samuel Martin	The same

*Hythe.*

1747	Sir Tho. Hales	Wm. Glanville
54	The same	The same
61	Lord G. Sackville	The same
68	Wm. Evelyn	John Sawbridge

*Romney.*

*Romney.*

1647	Sir Francis Dashwood	Henry Furnese
54	The same	Rose Fuller
61	Sir Edw. Deering	Tho. Knight
68	The same	Richard Jackson

*Rye.*

1747	Sir John Norris	Philips Gybbon
54	George Onslow	The same
61	John Bentinck	The same
68	John Norris	Rose Fuller

*Sandwich.*

1747	Sir G. Oxenden	John Cleveland
54	Clau Amyand	The same
61	George Hay	Lord Cunyngham
68	Philip Stephens	The same

*Seaford.*

1747	William Pitt	William Hay
54	Lord Gage	The same
61	The same	James Peachey
68	The same	Geo. Medley

*Winchelsea.*

1747	John Mordaunt	Tho. Orby Hunter
54	Arnold Nesbitt	The same
61	Tho. Sewell	The same
68	Lord Thomond	The same

## W A L E S.

*Anglesea.*

1747	Sir Nich. Bayley
54	The same
61	Owen Meyrick
68	The same

*Beaumaris.*

Lord Bulkeley
Richard Price
The same
Sir Hu. Williams

*Brecon County.*

1747	Tho. Morgan
54	The same
61	The same
68	The same

*Brecon.*

John Talbot
Tho. Morgan, junr.
The same
Charles Morgan



*Cardigan County.*

- 1747 John Lloyd  
 54 The same  
 68 Pugh Pryfe  
 61 Lord Lisburne

*Cardigan.*

John Symons  
 The same  
 Herbert Lloyd  
 Pryce Campbell

*Carmarthen County.*

- 1747 John Vaughan  
 54 George Rice  
 61 The same  
 68 The same

*Carmarthen.*

Tho. Mathews  
 Griffith Philips  
 Lord Verney  
 Griffith Philips

*Carnarvon County.*

- 1747 William Bodville  
 54 Sir John Wynne  
 61 Tho. Wynne  
 68 The same

*Carnarvon.*

Sir Wm. Wynne  
 The same  
 Sir John Wynne  
 Glyn Wynne

*Denbigh County.*

- 1747 Sir W. W. Wynne  
 54 Sir L. Sal. Cotton  
 61 The same  
 68 The same

*Denbigh.*

Rich. Myddelton  
 The same  
 The same  
 The same

*Flint County.*

- 1747 Sir Thomas Mostyn  
 54 The same  
 61 Sir Roger Mostyn  
 68 The same

*Flint.*

Kyffin Williams  
 Sir John Glynne  
 The same  
 The same

*Glamorgan County.*

- 1747 Charles Edwyn  
 54 The same  
 61 Sir Edm. Thomas  
 68 G. Ven. Vernon

*Cardiffe.*

Herbert Mackworth  
 The same  
 The same  
 The same

*Merioneth County.*

- 1747 Wm. Vaughan  
 54 The same  
 61 The same  
 68 J. Pugh Price

*Montgomery County.*

- 1747 Edward Kynafton  
 54 The same  
 61 The same  
 68 The same

*Montgomery.*

Henry Herbert  
 Wm. Bodville  
 Richard Clive  
 The same

*Pembroke*

*Pembroke County.*

- 1747 Wm. Owen  
 54 The same  
 61 Sir John Phillips  
 68 Sir Rich. Phillips

*Pembroke.*

- Hugh Barlow  
 The same  
 Sir Wm. Owen  
 The same

*Haverfordwest.*

- 1747 William Edwardes  
 54 The same  
 61 The same  
 68 The same

*Radnor County.*

- 1747 Sir H. Howarth  
 54 The same  
 61 Lord Carnarvon  
 68 Chace Price

*Radnor.*

- Thomas Lewis  
 The same  
 Edward Lewis  
 John Lewis

## S C O T L A N D.

*Aberdeen.*

- 1747 Andrew Mitchel  
 54 Lord Ad. Gordon  
 1761 Lord Ad. Gordon  
 68 Alex. Gordon

*Air.*

- 1747 Patrick Crawford  
 54 Ja. Mure Campbell  
 1761 Arch. Montgomery  
 68 David Kennedy

*Argyll.*

- 1747 Sir Duncan Campbell  
 54 Dougal Campbell  
 1761 The same  
 68 Rob. Campbell

*Ramff.*

- 1747 Ja. Abercrombie  
 54 Ja. Duff  
 1761 The same  
 68 Lord Fife

*Berwick.*

- 1747 A. Hume Campbell  
 54 The same  
 1761 James Pringle  
 68 The same

*Bute and Caithness.*

- 1747 Ja. Stu. Mackenzie  
 54 John Scott  
 1761 James Stuart  
 68 Lord Fortrose

*Gromarty and Nairn.*

- |                    |                      |
|--------------------|----------------------|
| 1747 John Campbell | 1761 Sir John Gordon |
| 54 The same        | 68 Pryce Campbell    |

*Dumbarton.*

- |                    |                    |
|--------------------|--------------------|
| 1747 John Campbell | 1761 John Campbell |
| 54 The same        | 68 A. Edmonstone   |

*Dumfries.*

- |                       |                    |
|-----------------------|--------------------|
| 1747 Lord Ch. Douglas | 1761 Arch. Douglas |
| 54 The same           | 68 The same        |

*Edinburgh.*

- |                      |                      |
|----------------------|----------------------|
| 1747 Sir Ch. Gilmour | 1761 Robert Dundas   |
| 54 The same          | 68 Sir Alex. Gilmour |

*Elgin.*

- |                     |                  |
|---------------------|------------------|
| 1747 Ludovick Grant | 1761 James Grant |
| 54 The same         | 68 Francis Grant |

*Fife.*

- |                    |                      |
|--------------------|----------------------|
| 1747 James Oswald  | 1761 James St. Clair |
| 54 James St. Clair | 68 John Scott        |

*Forfar.*

- |                   |                   |
|-------------------|-------------------|
| 1747 Lord Panmure | 1761 Lord Panmure |
| 54 The same       | 64 The same       |

*Haddington.*

- |                        |                    |
|------------------------|--------------------|
| 1747 Sir Hu. Dalrymple | 1761 And. Fletcher |
| 54 The same            | 68 Sir Geo. Suttie |

*Inverness.*

- |                     |                   |
|---------------------|-------------------|
| 1747 Norman Macleod | 1761 Simon Frazer |
| 54 Pryce Campbell   | 68 The same       |

*Kincardine.*

- |                       |                       |
|-----------------------|-----------------------|
| 1747 Sir Ja. Carnegie | 1761 Sir Ja. Carnegie |
| 54 The same           | 68 Rob. Rick. Hepburn |

*Kinross and Clackmannan.*

- |                   |                      |
|-------------------|----------------------|
| 1747 Tho. Erskine | 1761 Ja. Abercrombie |
| 54 Rob. Colvill   | 68 Robert Adam       |

*Kirkcudbright.*

- |                  |                  |
|------------------|------------------|
| 1747 John Mackye | 1761 John Mackye |
| 54 The same      | 68 The same      |

*Lanark.*

*Lanark.*

- |                         |                     |
|-------------------------|---------------------|
| 1747 Sir James Hamilton | 1761 Dan. Campbell  |
| 54 James Vere           | 68 J. Lockhart Rofs |

*Linlithgow.*

- |                     |                     |
|---------------------|---------------------|
| 1747 Cha. Hope Weir | 1761 Cha. Hope Weir |
| 54 The same         | 68 John Hope        |

*Orkney.*

- |                     |                    |
|---------------------|--------------------|
| 1747 Ja. Halyburton | 1761 James Douglas |
| 54 James Douglas    | 68 Tho. Dundas     |

*Peebles.*

- |                 |                   |
|-----------------|-------------------|
| 1747 John Dixon | 1761 John Dixon   |
| 54 John Murray  | 68 Ja. Montgomery |

*Renfrew.*

- |                   |                     |
|-------------------|---------------------|
| 1747 William Muir | 1761 Peter Crawford |
| 54 The same       | 68 Wm. McDowall     |

*Roxburgh.*

- |                   |                       |
|-------------------|-----------------------|
| 1747 Walter Scott | 1761 Walter Scott     |
| 54 The same       | 68 Sir Gilbert Elliot |

*Rofs.*

- |                        |                          |
|------------------------|--------------------------|
| 1747 Kenneth Mackenzie | 1761 J. Stuart Mackenzie |
| 54 The same            | 68 The same              |

*Selkirk.*

- |                   |                     |
|-------------------|---------------------|
| 1747 John Murray  | 1761 Gilbert Elliot |
| 54 Gilbert Elliot | 68 John Pringle     |

*Stirling.*

- |                     |                     |
|---------------------|---------------------|
| 1747 James Campbell | 1761 James Campbell |
| 54 The same         | 68 Tho. Dundas      |

*Sutherland.*

- |                  |                   |
|------------------|-------------------|
| 1747 Geo. Mackay | 1761 Alex. Mackay |
| 54 The same      | 68 James Wemyss   |

*Wigtoun.*

- |                  |                   |
|------------------|-------------------|
| 1747 John Stuart | 1761 James Stuart |
| 54 James Stuart  | 68 Keith Stewart  |

## T O W N S.

*Aberdeen, Montrose, Brechin, Inverberoy, Aberbrothock.*

1747 John Maule

1761 David Scott

54 David Scott

68 Thomas Lyon

*Air, Irving, Rathfay, Inverary, Campbeltown.*

1747 Charles Erskine

1761 Alex. Wedderburne

54 Ja. Stu. Mackenzie

68 James Stuart

*Crail, Kilrenny, Anstruther, East and West Pittenweem.*

1747 G. Anstruther

1761 Sir Henry Erskine

54 Sir Henry Erskine

68 Sir J. Anstruther

*Dumferling, Culrofs, Inverkeithing, Stirling, Queensferry.*

1747 George Haldane

1761 Francis Holbourne

54 The same

68 Ja. Masterfon

*Dumfries, Kirkcudbright, Sanquhar, Annan.*

1747 Sir J. Johnston

1761 Tho. Miller

54 Arch. Douglas

68 William Douglas

*Dysart, Kinghorn, Kirkcaldie, Burntisland.*

1747 James Sinclair

1761 James Oswald

54 James Oswald

68 Ja. Towns. Oswald

*Edinburgh City.*

1747 James Ker

1761 George Lind

54 Wm. Alexander

68 Sir L. Dundas

*Elgin, Cullen, Bamff, Inverary, Kintore.*

1747 William Grant

1761 Andrew Mitchell

54 The same

68 The same

*Forfar, Perth, Dundee, Cupar, St. Andrew's.*

1747 Tho. Leslie

1761 Geo. Dempster

54 The same

68 William Pulteney

*Fortrose, Forres, Nairn, Inverness.*

1747 Alex. Brodie

1761 Sir Alex. Grant

54 John Campbell

68 Hector Monro

*Glasgow, Ruthaglen, Renfrew, Dumbarton.*

1747 John Campbell

1761 Lord Fred. Campbell

54 The same

68 The same

*Haddington,*

*Haddington, Dunbar, Berwick, Nauder, Jedburgh.*

- |      |                 |      |                   |
|------|-----------------|------|-------------------|
| 1747 | Andrew Fletcher | 1761 | Sir Hew Dalrymple |
| 54   | The same        | 68   | Pat. Warrender    |

*Kirkwall, Wick, Tain, Dornock, Dingwall.*

- |      |                 |      |              |
|------|-----------------|------|--------------|
| 1747 | Sir Henry Monro | 1761 | John Scott   |
| 54   | The same        | 68   | Alex. Mackay |

*Selkirk, Peebles, Lanark, Linlithgow.*

- |      |                |      |                   |
|------|----------------|------|-------------------|
| 1747 | Ja. Carmichael | 1761 | John Ross         |
| 54   | John Murray    | 68   | J. Lockhart Ross. |

*Wigtown, Galloway, Stranraer, Whiteborne.*

- |      |               |      |                  |
|------|---------------|------|------------------|
| 1747 | Ja. Stuart    | 1761 | Arch. Montgomery |
| 54   | John Hamilton | 68   | G. Aug. Selwyn   |

A

## C O L L E C T I O N

OF THE

## SUPPLIES, and WAYS and MEANS,

From the Year 1744 to the Year 1774; being the Period  
of this Work.

1743.	17th Geo. II.	£.	s.	d.
Dec. 10. 40,000 seamen, for 1744		2,080,000	0	0
Jan. 12. 21,358 land forces for Flanders		634,344	11	4
19,028 men for guards and garrisons		561,794	5	5
11,550 marines	-	206,806	10	0
Jan. 19. 5,513 horse, 10,755 foot, of Hanoverian troops, from Christmas 1743 to Christmas 1744	-	393,773	6	1
Feb. 2. To make good engagements with Sardinia	-	200,000	0	0
Ditto with Hungary	-	300,000	0	0
Ordinance for land service	-	165,428	14	7
Extra expence of ditto	-	73,924	7	7½
Feb. 10. Marriage portion of Princess Louisa to the Prince of Denmark		40,000	0	0
Ordinary of the navy	-	192,834	10	9
Greenwich hospital	-	10,000	0	0
Deficiency of general fund	-	55,827	16	3½
Sinking fund, deficiency of additional stamp-duties, Christmas 1742	-	4,392	19	5
Ditto on salt-duty, 1 Nov. 1743	-	42,000	0	0
Ditto of victuallers at Midsummer 1743, at which time the 481,400 <i>l.</i> charged thereon was transferred to the duties on spirituous liquors	-	8,295	9	1
Deficiency of sweets, Michaelmas 1743		13,870	7	0
Carried over		4,983,292	17	7

	£.	s.	d.
Brought over	4,983,292	17	7½
Deficiency of grants last year	-	-	-
Westminster Abbey	119,934	4	4½
Westminster Bridge	4,000	0	0
St. John's Church, Westminster, repairs	25,000	0	0
March 20. Extra charge of troops in Flanders in 1742 and 1743	4,000	0	0
March 22. Plantations, &c.	524,023	8	3
Extra services in Georgia, for the defence of North America, from 22d Sept. 1738 to 29th Sept. 1743, not provided for	274,830	17	3½
Troops and vessels in Georgia for 1744	66,109	13	10
General officers and hospital in Flanders for 1744	19,168	18	4
331 horse lost at the battle of Dettingen	37,703	17	7½
Extra expences of land forces not provided for	5,460	0	0
Ordnance office for settlement at Rattan	20,959	4	5½
April 10. Half-pay officers	12,102	0	2
Transport service from 1st Jan. 1742 to 31st Dec. 1743	31,695	12	0
Victualling land forces to ditto	20,474	17	7
April 23. Extra charge of forage and other expences for 1744	10,970	2	5½
May 1. African forts and settlements	100,000	0	0
	20,000	0	0
Total	£. 6,283,537	14	0½

1744.

18th Geo. II.

Dec. 6. 40,000 seamen for 1745	-	2,080,000	0	0
Jan. 17. 15,768 men for guards and gar-risons	-	499,936	9	7
Ordnance for land service	-	195,008	11	7
Extra expence of ditto	-	68,426	14	6
Jan. 24. 28,107 men for Flanders	-	781,698	16	2
General officers, and hospitals for ditto	-	37,610	18	8½
11,550 marines	-	206,253	15	0
Deficiency of general fund	-	65,265	13	5½
Sinking fund, deficiency of additional stamp-duties for 1743	-	5,095	8	8

Carried over 3,939,296 7 7½  
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	£.	s.	d.
Brought over	3,939,296	7	7½
Jan. 24. Deficiency on sweets, Michaelmas 1744	13,957	19	2½
Jan. 29. Ordinary of the navy	200,479	9	10
Building an hospital near Portsmouth, and purchasing the land	12,000	0	0
Plantations, &c.	290,528	3	1½
Feb. 4. Deficiency of last year's grants	177,421	18	3½
Feb. 12. Extra expences of troops in Flanders, not provided for	85,847	4	9
Half-pay officers	26,775	15	10
Ditto widows, as before	3,864	0	0
Westminster Bridge	25,000	0	0
Feb. 19. To make good engagements with the Queen of Hungary	500,000	0	0
Ditto with Sardinia	200,000	0	0
Ditto with the Elector of Cologne	24,299	1	4
Ditto with the Elector of Mentz	8,620	0	0
Expences of land forces, not provided for	38,839	18	5½
Ditto of forage, and other expences for 1745	100,000	0	0
Feb. 25. Eight weeks pay to the Hanoverians for their return	57,965	9	2½
Rye Harbour	23,360	0	0
Greenwich Hospital	10,000	0	0
March 21. Transport service, one year	45,005	9	10
Victualling land forces for ditto	13,345	11	7½
6,000 Dutch troops, whilst in Great Britain	32,094	10	8
Ditto, whilst in our service in Flanders	10,240	1	1
To make good engagements with the King of Poland, as Elector of Saxony	100,000	0	0
To make good such other treaties as are or shall be made with our allies, and for other services	500,000	0	0
April 8. Troops in Georgia, from Sept. 1744 to Dec. 1745	23,961	2	11.
Total	£. 6,462,902	3	9½

1745.

19th Geo. II.

	£.	s.	d.
Oct. 28. 40,000 seamen for 1746	2,080,000	0	0
Nov. 4. 49,229 land forces	1,298,100	14	7
13 regiments of foot, under the command of noblemen, for 122 days	64,360	13	0½
2 regiments of horse, commanded by noblemen, 122 days	13,176	10	0
Nov. 6. 20 independent companies for one year	35,952	10	0
Nov. 7. 11,550 marines	206,253	15	0
Jan. 23. 1,264 horse, and 4,908 foot, of Hessians, with the subsidy for one year	161,607	17	1½
Plantations, &c.	343,440	18	1½
Ordnance for land service	175,777	13	9
Extra expence of ditto	246,542	5	9
Feb. 1. Continuing the two regiments of horse and thirteen of foot, commanded by noblemen, for 122 days further	77,537	3	0½
Ordinary of the navy	198,048	17	3
Hospital near Portsmouth	16,000	0	0
Greenwich hospital	10,000	0	0
Feb. 20. Mint for seven years, <i>per ann.</i>	15,000	0	0
Sinking fund, for deficiency of additional stamp duties, at Michaelmas 1745	8,367	9	10
Ditto on sweets, at Michaelmas 1745	13,793	3	5
Ditto of salt duties, at Christmas 1745, continued from Lady-day, 1753 for six years	17,500	0	0
Georgia	4,000	0	0
Westminster bridge	25,000	0	0
Deficiency of general fund	49,252	18	9
March 3. Freight of transports, in 1745	96,478	19	2
Victualling the forces in ditto	54,753	9	3½
Deficiency of last year's grants	11,950	2	9½
March 24. To the King of Sardinia	200,000	0	0
Elector of Cologne	24,299	1	4
Elector of Mentz	8,620	0	0
April 14. 5,000 horse and 13,000 foot, of Hanoverian troops, to act in the Low Countries	300,000	0	0
Artillery to ditto	10,000	0	0
Carried over	5,727,861	9	2½

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	Brought over	£.	s.	d.
Apr. 14. To the Queen'of Hungary, to support her allies, and maintain 50,000 men in the Low Countries -		5,727,861	9	2½
To the King of Sardinia, to support and prosecute the war in Italy -		400,000	0	0
May 5. Half pay officers -		100,000	0	0
Ditto Widows as before -		24,701	7	6
Extra expences of land forces on account of the rebellion, and for horses lost in Flanders, and at sea, not provided for -		3,886	0	0
For the Dutch troops, whilst in our service -		137,027	3	11
Extra pay, or douceurs, forage, wagon money, &c. of the 6,000 Hessians in our service in 1742 and 1743 -		21,545	19	11
May 12. Pay of general and general-staff officers for 1746 -		40,328	19	10
Vote of credit, for suppressing the rebellion, carrying on the war, and making good treaties -		40,880	19	2
June 16. Troops of Georgia -		500,000	0	0
African forts -		19,168	18	4
May 15. N. B. To the Duke of Cumberland, and the heirs male of his body, for the signal service done to his country, an additional revenue to be paid out of the aggregate fund, <i>per ann.</i> -		10,000	0	0
		25,000	0	0
Total		£. 7,088,353	10	10½

1746.

20th Geo. II.

Dec. 1. 40,000 seamen for 1747		2,080,000	0	0
Dec. 8. 33,030 land forces -		856,066	19	2
15,196 men in Flanders -		372,788	11	0
Forces in plantations, &c. -		343,112	8	1½
Dec. 15. Deficiency of the civil list in seven years, at Midsummer last		456,733	16	3½
To discharge the like sum raised by an Act last year -		500,000	0	0
Carried over		4,608,701	14	7½

	£.	s.	d.
Brought over	4,608,701	14	7½
Dec. 15. Ordnance for land service	284,004	12	11
Extra expences of ditto	193,208	15	3
Jan. 15. Ordinary of the navy	196,259	18	8
Greenwich Hospital	10,000	0	0
Hospital at Gosport	16,000	0	0
To sinking fund, deficiency of stamp-			
duties to Christmas 1745	7,978	8	4
Ditto on sweets to Michaelmas 1746	13,910	0	5½
Ditto on salt-duty to Michaelmas 1746	35,000	0	0
Ditto on additional wine-duty at Mi-			
chaelmas 1746	49,693	17	9½
Deficiency of general fund	10,211	5	3½
Jan. 19. Freight of transports from 1st			
Jan. 1745 to 31st Dec. 1746	205,728	9	9
Victualling land forces to ditto	66,668	7	10
Deficiency on duty of spirituous liquors,			
Lady-day 1746	16,670	11	1½
Ditto of additional duties on wines im-			
ported at Christmas 1746	1,421	11	2½
Ditto on duty of glafs and spirituous			
liquors at Christmas 1746	58,233	1	1
Ditto on half subsidies on tonnage and			
poundage, at Christmas, 1746	85,968	12	3½
Ditto of the surplus of the fund of lot-			
tery 1714 at Christmas 1746	38,648	5	2½
Ditto of grants for last year	135,378	4	7
Jan. 22. Towards paying off the navy debt	1,000,000	0	0
Jan. 27. To the Queen of Hungary, to			
support her allies and maintain 60,000			
in the Low Countries	433,333	6	8
To the King of Sardinia	300,000	0	0
5,000 horse and 13,000 foot of Hano-			
verians for the Low Countries	400,000	0	0
Artillery to ditto	10,000	0	0
Feb. 9. To the Elector of Cologne	24,291	1	4
To the Elector of Mentz	8,620	0	0
To the Elector of Bavaria	26,846	11	9
Pay of general and general staff-offi-			
cers, and officers of the hospital for			
the land-forces	48,575	17	10
Extra expences of the rebellion and			
other services	166,198	18	4½
Hessian troops, as before	161,607	17	1½
Half-pay officers	29,914	15	10
Carried over	8,661,034	5	3

	£.	s.	d.
Brought over	8,661,034	5	3
Feb. 9. Ditto widows as before	3,948	0	0
408 horses lost in Flanders and at the battle of Falkirk and Culloden.	6,120	0	0
11,550 marines	206,253	15	0
Westminster Bridge	30,000	0	0
Mar. 24. Vote of credit for carrying on the war, and making good treaties	500,000	0	0
May 21. To the residuary legatees of Sir Joseph Jekyll, on account of the reduction in the value of the estate, out of a legacy left by him to the sinking fund	13,582	9	2
Total	£. 9,402,978	9	5

1747.

21st Geo. II.

Nov. 24. 40,000 seamen, for 1748	-	2,080,000	0	0
Nov. 30. Ordinary of the navy	-	208,827	9	5
Greenwich Hospital	-	10,000	0	0
Hospital at Gosport	-	10,000	0	0
Freight of transports	-	91,496	16	3
Victualling ditto	-	43,937	11	3
Towards paying off the navy debt	-	1,000,000	0	0
To sinking fund, deficiency of salt-duty, Mich. 1747	-	35,000	0	0
Ditto of additional stamp-duties, Christmas 1746	-	7,118	5	9
Ditto of duty on spirituous liquors, Lady-day 1747	-	16,362	8	5
Ditto of additional duties on wines, Midf. 1747	-	29,765	19	5
Ditto of duty on glass and spirituous liquors at ditto	-	34,177	7	3½
Ditto on sweets, Mich. 1747	-	13,660	18	6
Ordnance for land service	-	342,064	3	9
Extra expence of ditto	-	159,565	14	5
Dec. 1. 49,939 land forces	-	1,267,376	15	9½
Forces in Plantations, &c.	-	350,034	14	1½
11,550 marines	-	196,089	19	7
Carried over		5,885,478	4	1

	<i>£.</i>	<i>s.</i>	<i>d.</i>
Brought over	5,885,378	4	1
Dec. 19. To the like sum raised last sessions	500,000	0	0
Deficiency of last year's grants	571,827	18	7
Feb. 1. Queen of Hungary	400,000	0	0
King of Sardinia	300,000	0	0
5,000 horse, and 17070 foot of Hanoverians	460,223	10	0
Artillery to ditto	10,000	0	0
Proportion to Russia for 30,000 men, and the charge of their march to the frontiers of Upper Silesia	167,881	18	10
Proportion of forage for the same from their arrival in Upper Silesia to their return to the frontiers of Poland	150,000	0	0
Electo <sup>r</sup> of Mentz	8,620	0	0
Electo <sup>r</sup> of Bavaria	26,846	11	9
Hessian troops as before	161,951	14	7½
Deficiency of duties on glass, &c. to Christmas 1747	39,846	11	7½
Mar. 1. General and general-staff-officers, and land forces	53,861	3	0
Half-pay officers	27,224	6	0
Ditto widows as before	3,886	18	8½
Extra expences of land forces and other services	315,876	8	9½
Proportion of 4,800 foot, and artillery of Wolfenbuttle, troops from Lady-day to Christmas 1748, with the subsidy	57,792	7	5½
Apr. 4. American Colonies expences, in taking Cape Breton, viz. Massachusetts Bay	183,649	2	7½
New Hampshire	16,355	13	4
Connecticut	28,863	19	1
Rhode Island	6,332	12	10
James Gibson, Esq. for his services and expences therein	547	15	0
Vote of credit to carry on the war, and make good treaties	500,000	0	0
Westminster Bridge	20,000	0	0
Apr. 25. To the Proprietors of the heret-able jurisdiction and offices in Scotland	152,037	12	2
Total	£. 10,059,104	8	4½

1748.

22d Geo. II.

	£.	s.	d.
Dec. 8. 17,000 seamen, for 1749 - -	884,000	0	0
Jan. 19. 18,857 land forces - -	612,230	4	7
Forces in Plantations, &c. - -	218,864	1	5½
To the Elector of Bavaria's subsidy - -	44,744	6	3
Duke of Brunswick Wolfenbuttle - -	30,548	14	6
Landgrave of Hesse Cassel - -	30,078	2	6
Electors of Mentz - -	8,620	0	0
Jan. 24. Ordinary of the navy - -	285,878	0	0
Greenwich Hospital - -	10,000	0	0
Ordnance for land service - -	134,366	17	8
Extra expence of ditto - -	42,780	18	2
Forces in Cape Breton, and the 12 independent companies in the East Indies - -	111,612	3	4
To sinking fund, deficiency of salt-duties, Michaelmas 1748 - -	35,000	0	0
Ditto of additional stamp-duties, Christmas 1747 - -	7,180	5	8
Ditto on spirituous liquors, at Lady-day 1748 - -	9,308	7	4
Ditto additional duties on wine, Midsummer 1748 - -	15,297	11	5½
Ditto on sweets, at Michaelmas 1748 - -	13,827	12	6
Ditto on glass, and spirituous liquors, Midsummer 1748 - -	33,804	13	1½
Ditto on new duties on houses, Michaelmas 1748 - -	28,268	15	5½
Ditto additional duties on wines, Christmas 1748 - -	1,462	6	10
Ditto additional duties on glass and spirituous liquors, Christmas 1748 - -	41,822	10	5
Mar. 16. Deficiency of grants, 1748 - -	470,186	9	6½
Extra expence of land force and other services, in 1748 - -	418,128	18	10
Mar. 20. To discharge navy and victualling bills in course of payment, and for transports - -	3,000,000	0	0
To pay off ordnance debt - -	230,382	5	1
Mar. 21. To the Queen of Hungary, to answer the like sum, claimed by her as an arrear of 400,000 l. mentioned in the convention at the Hague 1748 - -	100,000	0	0
Carried over	6,818,193	4	8½

	£.	s.	d.
Brought over	6,818,193	4	8½
Mar. 23. Chelsea Hospital	63,274	6	3
Towards settling Nova-Scotia	40,000	0	0
Apr. 17. Towards discharging seamen wages, and other payments due on navy debt, Christmas last	1,000,000	0	0
Deficiency of new duty on houses, Lady-day 1749	31,060	16	0½
Pay of General and Staff-officers	16,000	0	0
Half-pay officers	67,226	18	4
Reduced officers, and private gentlemen of 2 troops of Horse Guards, and regiment of Horse	5,281	16	8
Half-pay officers widows as before	3,867	15	7½
Westminster Bridge	12,000	0	0
Apr. 24. City of Glasgow, for sums extorted by the rebels	10,000	0	0
May 25. African trade	10,000	0	0
Georgia	5,304	3	4
Total	£. 8,082,409	1	7½

1749.

23d Geo. II.

Nov. 27. 10,000 seamen for 1750	520,000	0	0
Nov. 30. 18,857 land forces	628,230	4	7
Forces in Plantations, &c.	236,420	18	6½
Dec. 4. Ordinary of the navy	293,625	5	10
Greenwich Hospital	10,000	0	0
Building, rebuilding, and repairs of ships	197,896	0	0
Dec. 7. Ordnance for land service	109,259	16	6
Extra expence of ditto	35,448	9	10
Jan. 15. Elector of Bavaria	22,372	3	1½
Duke of Brunswick	29,993	3	7
Elector of Mentz	8,620	0	0
Half-pay officers widows as before	3,374	0	0
Reduced officers of Horse Guards, and Horse, &c.	5,117	11	8
Chelsea Hospital	49,848	7	6
Sinking fund, deficiency of salt-duties, one year's interest Michaelmas 1749	35,000	0	0

Carried over 2,185,206 1 8

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VOL. VII.



	Brought over	£.	s.	d.
Jan. 15. Ditto, additional stamp-duties,		2,185,206	1	2
Christmas 1748	-	5,183	17	8
Ditto, on licences on spirituous liquors,				
Lady-day 1749	-	5,724	3	9
Ditto, additional duties on wines, Michaelmas 1749	-	7,196	4	5½
Ditto, duty on sweets, at Michaelmas 1749	-	13,361	10	1
Ditto, on glass and spirituous liquors, Michaelmas 1749	-	21,564	2	10½
Ditto, at Christmas 1749	-	39,631	6	10½
Feb. 12. Half-pay officers	-	67,000	0	0
Extra expences of land forces, &c.	-	65,481	4	7
Deficiency of last year's grants	-	275,756	5	3
Mar. 6. To discharge what was borrowed by Act of last sessions	-	1,000,000	0	0
Deficiency of the half-subsidy of tonage and poundage at Christmas 1749	-	94,655	7	4
Westminster Bridge	-	8,000	0	0
Mar. 12. Debt of the Hanaper Office in Chancery, Michaelmas 1749	-	10,590	12	11
To prevent a future deficiency in the said Office, <i>per ann.</i>	-	1,800	0	0
Augmenting the revenue of Master of the Rolls, <i>per ann.</i>	-	1,200	0	0
Mar. 19. Expences in North America, on account of the intended expedition against Canada, and for succour of Nova Scotia	-	122,246	16	4
Charges in settling Nova Scotia, not provided for	-	36,476	3	10
Supporting, maintaining, and enlarging ditto	-	39,778	19	2
Georgia	-	3,304	3	4
African forts and settlements	-	10,000	0	0
Total		£. 4,014,136	19	7½

1750.

24th Geo. II.

	<i>£.</i>	<i>s.</i>	<i>d.</i>
Jan. 29. 8,000 seamen for 1751 -	416,000	0	0
Feb. 5. 18,857 land forces, including 1815 invalids - - -	612,315	7	11
Half-pay officers - - -	64,000	0	0
Ditto widows as before - - -	3,310	0	0
Chelsea Hospital - - -	62,567	2	6
Reduced officers and private gentlemen of 2 troops of Horse Guards and 1 Horse, and to the superannuated gen- tlemen of the 4 troops of Horse Guards	4,747	15	10
Feb. 11. Forces in the Plantations, &c.	236,420	18	6½
Pay of General and Staff Officers -	16,000	0	0
Feb. 14. Ordinary of the navy -	290,302	7	10
Greenwich Hospital - - -	10,000	0	0
Building, rebuilding, and repair of ships	140,257	0	0
Ordnance for land service - -	109,150	8	8
Extra expence of ditto not provided for	1,699	14	5
Feb. 19. To pay old and new South Sea annuities, not subscribed, in pursu- ance of two Acts last session, for re- ducing the interest of annuities -	2,325,023	7	11
Feb. 25. Elector of Bavaria - -	30,000	0	0
To replace sinking fund, the deficiency of salt duties, one year Michaelmas 1750 - - -	35,000	0	0
Ditto on additional stamp-duties, Christ- mas 1749 - - -	6,461	1	1
Ditto on licences on spirituous liquors, Lady-day 1750 - - -	7,880	17	1
Ditto on sweets, Michaelmas 1750 -	12,534	2	0½
Ditto on wines, Midsummer 1750 -	4,592	16	9
Ditto on glafs and spirituous liquors, Midsummer 1750 - - -	30,422	6	3
Ditto on houses and windows, Michael- mas 1750 - - -	70,097	14	8
Ditto of subsidy of poundage, Michael- mas 1750 - - -	42,559	12	7½
Mar. 12. Charge of Nova Scotia -	57,582	19	3½
Supporting and maintaining the said colony - - -	53,927	14	4
Carried over -	4,642,853	7	9

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	Brought over	£.	s.	d.
Mar. 12. Extra expences of land forces, and other services last year, not pro- vided for	-	4,642,853	7	9
Deficiency on last year's grants	-	47,984	14	3
Apr. 22. Discharging seamens wages	-	65,797	8	11½
African forts	-	200,000	0	0
Road between Carlisle and Newcastle	-	10,000	0	0
		3,000	0	0
Total	£.	4,969,635	10	11½

1751.

25th Geo. II.

Nov. 25. 10,000 seamen, for 1752, at 12 months and 19 days being the alteration of the stile	-	507,142	17	1½
Nov. 28. 18,857 land forces	-	611,101	6	5½
Ordinance for land service	-	119,156	4	8
Extra expence of ditto	-	5,763	18	9
Forces in Plantations, &c.	-	229,943	13	9½
Dec. 3. Ordinary of the navy	-	277,718	16	5
Greenwich hospital	-	9,699	9	0
Building, rebuilding and repair of ships	-	100,000	0	0
Jan. 16. Half pay officers	-	60,000	0	0
Ditto widows as before	-	3,125	13	1
Extra expences of Land forces last year	-	22,412	15	1
Reduced officers, &c. of Horse Guards and Horse, &c.	-	4,522	16	6
Chelsea hospital	-	58,448	14	7
Electors of Bavaria	-	20,000	0	0
Sinking fund, deficiency of stamp duty, Christmas 1750	-	6,997	8	3
Ditto on spirituous liquors, Lady-day 1751	-	5,431	6	4
Ditto on sweets, at Michaelmas	-	11,737	14	4½
Ditto on additional duties on wine, Michaelmas 1751	-	24,102	19	5
Ditto on glass and spirituous liquors, Midsummer 1751	-	52,969	1	7½
Ditto on houses and windows, Michael- mas 1751	-	61,066	7	10½
Deficiency of last year's grants	-	54,751	5	5½
Carried over		2,246,092	8	9½

	£.	s.	d.
Brought over	2,246,092	8	9½
Jan. 16. Charges of Nova Scotia, 1751 not provided for	-	-	-
	21,042	19	6½
Ditto, for 1752	40,450	0	10
Jan. 21. Towards discharging the navy debt	900,000	0	0
To discharge the annuities on the act for the additional duty on vellum, pursuant to notice of 13th June 1751	400,000	0	0
Georgia	4,000	0	0
Jan. 23. King of Poland	32,000	0	0
Deficiency, at Christmas, on duties on spirituous liquors	17,119	14	4½
Ditto at ditto, of additional duty on Wine	6,693	17	4
Ditto at ditto, on glass and spirituous liquors	24,968	12	10½
Ditto at ditto of half subsidy of Tonnage and Poundage, by 6th of Anne, and 6th of Geo. I.	89,925	10	7
Jan. 28. African Settlements	19,000	0	0
African Company, in compensation of their charter, to be applied as follows, (viz.) to the creditors 84,652 <i>l.</i> 12 <i>s.</i> 7 <i>d.</i> Commissioners for stating the claim, 1,695 <i>l.</i> 3 <i>s.</i> proprietors of African transferable stock possessed of the same, 31st Dec. 1748, 10 <i>per. cent.</i> 23,688 <i>l.</i> 15 <i>s.</i> 5 <i>d.</i> to ditto, proprie- tors possessed of the same since that time, being 5 <i>per. cent.</i> 2,105 <i>l.</i> 12 <i>s.</i> 3 <i>d.</i>	112,142	3	3
Road between Carlisle and Newcastle	3,000	0	0
Total £.	3,907,435	7	7

1752.

26th Geo. II.

Jan. 22. 10,000 seamen, for 1753	-	520,000	0	0
Ordinary of the navy	-	280,206	13	11
Greenwich Hospital	-	10,000	0	0
Jan. 29. 18,857 land forces	-	628,315	7	11
Forces in Plantations, &c.	-	236,420	18	6½
Extra expence of land forces, &c. not provided for	-	26,689	13	8
Carried over		1,701,632	14	0½

		£.	s.	d.
	Brought over	1,701,632	14	0½
Jan. 29. Half-pay officers	- -	58,000	0	0
Ditto widows as before	- -	3,036	0	0
Officers, &c. of reduced Horse Guards and Horse	- - -	4,288	5	5
Chelsea hospital	- -	58,270	15	5
Feb. 1. Ordnance for land service	- -	107,688	9	7
Extra expences of ditto	- -	8,817	11	8
Electors of Bavaria	- -	20,000	0	0
King of Poland	- -	32,000	0	0
Feb. 15. Captain John Vernon, in full satisfaction of 40 acres of land in the island of Sheppey, in Kent, where the fort of Sheerness stands	- -	2,214	2	3
Feb. 20. Expences of Nova Scotia last year not provided for	- -	47,448	5	10
Ditto, for 1753	- -	47,167	6	6
Deficiency of additional stamp-duties, Christmas 1751	- -	7,916	19	11
Feb. 20. Ditto on spirituous liquors, Lady-day 1752	- -	749	3	3½
Ditto on sweets, Michaelmas 1752	- -	9,846	3	3½
Mar. 15. Westminster Bridge	- -	2,000	0	0
Carlisle road	- -	3,000	0	0
Georgia	- -	2,632	0	0
Building a fort at Annamaboo, and settlements on the coast of Africa	- -	16,000	0	0
Total		£. 2,132,707	17	2½

1753.

27th Geo. II.

Nov. 22. 10,000 seamen for 1754	- -	520,000	0	0
Nov. 26. 18,857 land forces	- -	628,315	7	11
Forces in the Plantations, &c.	- -	236,420	18	6½
Ordnance for land service	- -	118,347	12	4
Extra expence of ditto, not provided for	- -	5,218	4	8
Nov. 29. Ordinary of the navy	- -	278,747	12	9
Greenwich hospital	- -	10,000	0	0
Dec. 18. Building and repair of ships	- -	100,000	0	0
Electors of Bavaria	- -	20,000	0	0
King of Poland	- -	32,000	0	0
Carried over		1,949,049	16	2½

	£.	s.	d.
Brought over	1,949,049	16	2½
Dec. 20. To the mint, for 7 years <i>per. ann.</i>	15,000	0	0
Jan. 21. Half-pay officers - -	55,000	0	0
Ditto widows as before - -	2,944	0	0
Reduced officers of Horse Guards and Horse, &c. - - -	4,246	6	8
Chelsea hospital - - -	57,358	5	5
Feb. 7. Extra expences of land forces not provided for - - -	31,900	11	11
To sinking fund, deficiency of duty on sweets, 10 Oct. 1753 - -	6,792	15	0
Ditto of half subsidy of tonage, Jan. 5.	61,505	19	9
Civil establishment of Georgia, from Michaelmas 1753, to 1754 - -	2,632	0	0
African forts and settlements - -	10,000	0	0
Carlisle road - - -	6,000	0	0
Feb. 21. To discharge Exchequer bills charged on the duty of sweets	499,600	0	0
Charge of maintaining Nova Scotia last year - - -	11,392	6	9
Ditto this year - - -	47,054	15	3
Westminster Bridge - - -	2,000	0	0
Bills drawn from America for services in Georgia, to Midsummer 1747	15,497	3	2
Purchasing the Marshalsea prison .	10,500	0	0
Rebuilding the same - - -	7,800	0	0
Feb. 26. Bounty to 40 navy chaplains who had served for 5 years in the late war, and are not provided for -	1,642	10	0
Total £.	2,797,916	10	2

1754.

28th Geo. II.

Nov. 25. 12,000 seamen, for 1755 -	624,000	0	0
Nov. 28. 18,857 land forces - -	628,315	7	11
Forces in Plantations, &c. - -	236,420	18	6½
For 2 regiments of foot for North America - - -	40,350	15	0
Several officers on the expedition under General Braddock - - -	7,338	2	6
Hospital officers, for ditto - -	1,779	7	6
Ordinance for land forces - -	119,316	10	0
Carried over	1,657,521	1	5½

	Brought over	£.	s.	d.
Nov. 28. Extra expences for ditto not provided for	-	1,657,521	1	5½
Dec. 3. Ordinary of the navy	-	32,250	8	8
Greenwich Hospital	-	280,288	14	1
Dec. 16. Building and repair of ships	-	10,000	0	0
Jan. 20. Elector of Bavaria	-	100,000	0	0
King of Poland	-	20,000	0	0
Half-pay officers	-	32,000	0	0
Ditto Widows as before	-	47,000	0	0
Officers, &c. of Horse Guards and Horse	-	2,562	0	0
Chelsea Hospital	-	3,735	9	7
Extra expences of land forces last year, &c. not provided for	-	59,791	12	1
Nova Scotia, for 1755	-	60,254	8	0
Jan. 28. Georgia, from Midsummer 1754, to Midsummer 1755	-	40,418	7	8
Feb. 18. Towards discharging the navy debt	-	2,957	10	0
Mar. 27. To augment the forces by sea and land	-	700,000	0	0
Carlisle road	-	1,000,000	0	0
Apr. 12. African forts and settlements	-	6,000	0	0
Building a fort at Annamaboo	-	10,000	0	0
Thomas Stephens for discovering his method to make pot-ash	-	6,000	0	0
		3,000	0	0
Total		£. 4,073,779	11	6½

1755.

29th Geo. II.

Nov. 24. 50,000 seamen, including 1,138 Marines for 1756	-	2,600,000	0	0
Dec. 8. To the distressed people of Portugal, on account of the earthquake	-	100,000	0	0
34,236 land forces	-	930,603	6	9
Forces in the Plantations, &c.	-	298,534	17	10½
Ordnance for land service	-	152,435	5	6
Extra expence of ditto, not provided for	-	146,721	15	2
Dec. 15. Subsidy to Russia	-	100,000	0	0
Ditto to Hesse Cassel	-	54,140	12	6
Elector of Bavaria	-	10,000	0	0
Carried over		4,372,435	17	9½

		£.	s.	d.
	Brought over	4,372,435	17	9½
Dec. 18. Ordinary of the navy	-	219,021	3	0
Building the hospital for seamen at				
Hafler, near Gosport	-	20,000	0	0
Greenwich hospital	-	10,000	0	0
Chelsea hospital	-	53,955	19	6
Jan. 22. 10 New regiments of foot		91,919	10	0
Feb. 3. To be distributed in New Eng-				
land, New York, and Jersey, for				
their services	-	115,000	0	0
Sir William Johnson, for his services	-	5,000	0	0
Feb. 10. Nova Scotia	-	55,032	19	0
Charge of ditto not provided for in 1754	-	687	2	7
11 Troops of light dragoons	-	49,628	11	3
Extra expences of land forces, &c.				
last year	-	75,835	7	3
Officers, &c. of reduced Horse Guards				
and Horse	-	3,539	5	10
Half-pay officers	-	38,000	0	0
Ditto widows as before	-	2,484	0	0
Colony of Georgia, from Michaelmas				
1755 to Michaelmas 1756	-	3,557	10	0
Royal American regiment of foot for				
1756	-	81,171	16	0
Deficiency of half subsidies on poundage				
to 5 Jan. 1756	-	71,181	2	3½
John Roberts, late Governor of Cape-				
Coast-Castle in Africa, for his ex-				
traordinary charge in defending the				
British settlements there against the				
Dutch and French, in 1750	-	6,032	7	1
Feb. 12. James Tierney, of London, on be-				
half of some Spanish merchants, re-				
siding at Cadiz, for their effects				
taken on board the Spanish ships	-	13,869	7	10
Building and repairs of ships	-	200,000	0	0
Towards discharging of the navy debt	-	300,000	0	0
Mar. 2. To the commissioners of West-				
minster Bridge for widening the				
streets from Charing-crofs to West-				
minster-hall	-	10,000	0	0
Apr. 8. Deficiency of last year's grants	-	3,038	6	10½
Captain Cornwall's Monument in West-				
minster Abbey	-	3,000	0	0
	Carried over	5,824,397	6	3½
	3 E			



	£.	s.	d.
Brought over	5,824,397	6	3½
April 8. African forts and settlements	10,000	0	0
May 3. 6,544 Hessian foot, with general officers, and train of artillery in our pay, from the 23d of February to the 24th of December, with the subsidy by treaty	163,357	9	9
Two regiments of foot, from Ireland to North America, and four ditto on the Irish establishment, serving in North America and East Indies for 1756	79,915	6	0
Foundling Hospital	10,000	0	0
May 8. 8,625 Hanoverian foot, with general officers, train of artillery, and hospital, from the 11th of May 1756 to the 24th of December following	121,447	2	6
May 13. Vote of credit	1,000,000	0	0
May 17. King of Prussia	20,000	0	0
Total	£. 7,229,117	4	6½

1756.

30th Geo. II.

Dec. 16. 55,000 seamen for 1757	2,860,000	0	0
Dec. 23. 49,749 land forces, including 4,008 invalids	1,213,746	3	9
Forces in Plantations, &c.	423,963	16	10
Pay of general and staff officers	47,060	15	10
6,544 Hessian foot, with general and staff officers, and artillery, from 25th Dec. 1756 to 24th Feb. 1757	23,335	17	11
8,605 Hanoverian foot, with general and staff officers, and artillery, and officers of the hospital, for the above time	33,025	1	6
Jan. 17. Foundling Hospital	30,000	0	0
Ordinary of the navy	223,932	7	7
Greenwich Hospital	10,000	0	0
Purchasing land near Plymouth, and carrying on works of an-hospital for the fleet	10,000	0	0
Carried over	4,875,064	3	5

	£.	s.	d.
Brought over	4,875,064	3	5
Jan. 17. Ordnance for land service	161,557	1	10
Jan. 20. Extra expences of ordnance	228,196	4	7
Feb. 10. Chelsea Hospital	30,000	0	0
Two Highland battalions for 1757	46,022	5	0
Civil establishment of Georgia, and incidental expences from Midsummer 1756 to Midsummer 1757	3,557	10	0
Feb. 21. For an army of observation, and fulfilling engagements with Prussia, and support of the common cause	200,000	0	0
Feb. 24. 6544 Hessian foot, with general and staff officers, and artillery, from 25th Feb. 1757, to 26th April following	22,959	10	2½
5,726 Hanoverian foot, with general and staff officers, and artillery, and officers of hospital, 25th Feb. 1757, to 25th March following	9,494	3	9
March 7. Building and repair of ships	200,000	0	0
Half-pay officers	33,000	0	0
Ditto widows, as before	2,350	9	0
Reduced officers, &c. of Horse-guards and Horse	3,321	16	3
Four regiments of foot, Irish establishment, serving in North America and the East Indies, and augmenting Gen. O'Farrel's regiment of foot	48,926	2	6
March 10. To discharge the like sum raised last year	700,000	0	0
Colony of Nova Scotia in the year 1757	28,789	5	1
Ditto, in the year 1755, not provided for	15,381	4	0
Carlisle road	3,000	0	0
Remainder of exceedings of ordnance for land service for 1756, not provided for	47,869	2	4
March 29. Towards discharging the navy debt	200,000	0	0
Expence of Hanoverian march in Germany, both at their coming here and their return back	31,959	15	6
April 4. Extra expences of land forces and other services, incurred last year, and not provided for	111,570	19	7½
Carried over	7,003,026	4	1
3 E 2			

	£.	s.	d.
Brought over	7,003,026	4	1
April 25. 6,544 Hessian foot, with general and staff officers in our pay, from 27th April 1757, to 27th May following	11,667	18	11½
May 10. Charge of German pay for 6,600 Hessian foot, with general and staff officers, and train of artillery, from 28th May to 24th Dec. 1757	46,597	9	0
Ditto for 1400 horse, with officers to the hospital, from 27th April to 24th Dec. 1757	25,078	0	0
Ditto for 700 Hessian horse from 23d Aug. to Dec. 24	6,119	9	6
Ditto for 3,300 Hessian foot, general and staff officers, and artillery, from 27th April to 24th Dec.	27,273	14	0
Charge of remounting, and levy money for the above 700 horse and 3,300 foot, by treaty	37,296	17	6
To make good the agreement with Hesse Cassel, by treaty	60,766	1	0
Charge of an advanced subsidy, at the rate of 150,000 crowns a year, to Hesse Cassel, by treaty, from 6th Aug. 1756 to 27th April 1757, being the day the cavalry enters into the pay of Great Britain	26,007	3	6½
Remaining moiety of remount money for 1,400 horse by treaty, payable 27th April 1757, the supposed day when the cavalry took the field	13,475	0	0
May 19. Vote of credit	1,000,000	0	0
Extraordinary expences of the war for the use and relief of North and South Carolina, and Virginia, for services and acting with vigour against the enemy	50,000	0	0
To the East-India Company, for a military force in lieu of a battalion withdrawn from their settlements	20,000	0	0
African forts and settlements	10,000	0	0
Widening the avenues from Charing-cross	2,500	0	0
Carried over	8,339,807	19	7

	£.	s.	d.
Brought over	8,339,807	19	7
May 21. To purchase houses and ground for the above purpose	-	10,000	0 0
Half-pay to certain staff-officers of the late garrison at Minorca (viz.) the Secretaries, Governor, Captain of the Forts, Lieut. Governor of Saint Philip, and Surgeon to the garrison of ditto	-	517	1 8
Total	£. 8,350,325	1	3

1757.

31st Geo. II.

Dec. 8. 60,000 seamen for 1758	3,120,000	0	0
Dec. 15. 53,777 land forces	1,253,368	18	6
General staff officers and officers of the hospital	37,452	3	4
Forces in the Plantations, &c.	623,704	0	2
Four regiments of foot on Irish estab- lishment, serving in North America and East Indies	43,968	4	2
Dec. 20. Ordnance for land service	181,505	10	0
Extra expence of ditto not provided for	210,301	17	3
Issued in pursuance of address	31,000	0	0
Jan. 23. On account of the critical exi- gency in concert with Prussia	100,000	0	0
Ordinary of the navy	224,421	5	8
Building the hospital at Haslar, near Gosport	10,000	0	0
Ditto near Plymouth	10,000	0	0
Greenwich Hospital	10,000	0	0
Jan. 31. Half-pay officers	35,602	0	0
Ditto widows, as before	2,226	0	0
Reduced officers of Horse-guards and Horse	3,098	17	11
Feb. 6. Building and repair of ships	200,000	0	0
Feb. 23. 2,102 Hessian horse, 9,900 foot, with general and staff officers, hos- pital, and artillery, for 60 days, from Christmas 1757 to Feb. 22, 1758	38,360	19	10½
Carried over	6,135,009	16	10½

	Brought over	£.	s.	d.
March 7. Foundling hospital, to be issued without fee or reward, or any deduction whatsoever	-	6,135,009	16	10½
March 13. Towards discharging the navy debt	-	40,000	0	0
March 21. Deficiency of last year's grant 2,120 Hessian horse, 9,900 foot, &c. from February 23 to April 23	-	300,000	0	0
March 22. Chelsea hospital	-	284,802	1	0½
April 6. To discharge the like sum raised last year	-	38,360	19	10½
Colony of Nova Scotia for 1758	-	26,000	0	0
Charges in ditto 1756, not provided for Civil establishment of Georgia from Midsummer 1757 to Midsummer 1758	-	800,000	0	0
April 20. To make good engagements with Prussia	-	9,902	5	0
38,000 men of the troops of Hanover, Wolfenbuttle, Saxe Gotha, and Buckeburg, from Nov. 28, 1757, to Dec. 24, 1758	-	6,626	9	9½
In satisfaction for defraying the charge of forage, bread waggons, artillery, &c. for the above men	-	3,557	10	0
Extra expences of land forces and other services last year not provided for	-	670,000	0	0
Remainder of 2,120 horse, and 9,900 foot, &c. of Hessians, from Christmas 1757 to Christmas 1758	-	463,084	6	10
Towards rebuilding London Bridge	-	386,915	13	2
May 2. To pay and clothing of militia for 1758, and expences thereof in 1757	-	145,454	15	0½
May 4. To carry on works at Milford harbour	-	165,175	4	10½
June 1. To reimburse the province of Massachusetts Bay for furnishing provisions and stores in 1756	-	15,000	0	0
Ditto to Connecticut	-	100,000	0	0
Repairing St. Margaret's Church, Westminster	-	10,000	0	0
June 8. Vote of credit	-	27,380	19	11½
	-	13,736	17	7
	-	4,000	0	0
	-	800,000	0	0
Carried over		10,445,007	0	1

	£.	s.	d.
Brought over	10,445,007	0	1
June 10. East-India Company to maintain a military force in their settlements	20,000	0	0
African forts and settlements	10,000	0	0
June 16. To augment the judges salaries	11,450	0	0
Total	£. 10,486,457	0	1

1758.

32d Geo. II.

Nov. 30. 60,000 seamen for 1759, including 14,854 marines	3,120,000	0	0
Dec. 7. 52,543 land forces	1,256,130	15	2
General and staff officers, and officers of hospital	52,484	1	8
Forces in the Plantations, &c.	742,531	5	7
Four regiments and one battalion, on Irish establishment, in North America and Africa	40,879	13	9
Dec. 12. Ordnance for land service	220,789	11	9
Extra expence of ditto last year, not provided for	323,987	13	3
Ordinary of the navy	238,491	9	8
Greenwich hospital	10,000	0	0
Dec. 18. 38,000 troops of Hanover, Wolfenbottle, Saxe Gotha, and Buckeburg, &c. from Christmas 1758 to Christmas 1759	398,697	17	2½
2,120 Hessian horse, and 9,900 foot, from Christmas 1758 to Lady-day 1759	59,646	1	8
Forage, bread, artillery, &c. for the combined army under Prince Ferdinand	500,000	0	0
Dec. 19. Towards discharging navy debt	1,000,000	0	0
Jan. 22. Reduced officers of Horse-guards and Horse	2,958	19	7
Half-pay officers	34,367	15	10
Ditto widows, as before	2,128	0	0
Carried over	8,003,093	5	1½

	£.	s.	d.
Brought over	8,003,093	5	1½
Jan. 29. To make good the engagement with Prussia	670,000	0	0
Remainder of charge for 2,120 horse, and 9,900 foot, of Hessians, from Christmas 1758 to Christmas 1759	182,251	2	11½
Additional corps of 920 horse, 6,072 foot, of Hessians, from Jan. 1, 1759 to 31st Dec. following	97,582	17	10¾
To the Landgrave of Hesse Cassel, to facilitate the means by which he may again fix his residence in his own dominions, and give fresh courage to his faithful subjects by his presence, which is so much wished for	60,000	0	0
To discharge the like sum by Act of last sessions	800,000	0	0
Rebuilding and repairs of ships	200,000	0	0
Jan. 31. Chelsea Hospital	26,000	0	0
Feb. 6. London Bridge	15,000	0	0
Feb. 8. Foundling Hospital	20,000	0	0
Feb. 22. Transport service, and victualling land-forces last year	667,771	19	7
Feb. 26. Nova Scotia, for 1759	9,902	5	0
Ditto, in 1757, not provided for	11,278	18	5
Georgia, from Midsummer 1758 to Midsummer 1759	4,057	10	0
March 19. Sinking fund to make good deficiency of additional stamp-duty, &c. to 5th July 1758	24,371	6	11½
Ditto, deficiency of duty on glass, &c. to ditto	8,881	11	10½
African forts and settlements	10,000	0	0
To Roger Long (Doctor Lowndes, astronomical and geometrical professor in Cambridge) without account, to discharge, in pursuance of the will of Thomas Lowndes, Esq. (the inventor of a method for meliorating the brine salt of this kingdom) a mortgage upon an estate devised for the endowment of the said professorship	1,280	0	0
March 29. Pay and clothing of militia, from Christ. 1758 to Lady-day 1760	90,000	0	0
Carried over	10,901,470	17	9½

	£.	s.	d.
Brought over	10,901,470	17	9½
March 29. Foundling Hospital	-	30,000	0 0
April 2. Extra expences of land-forces and other services incurred last year, and not provided for	-	466,785	10 5½
April 10. Compensation to proprietors for lands purchased at and near Cha- tham, for better securing his Ma- jesty's docks	-	708	3 0
Ditto at Portsmouth	-	6,937	13 7½
Ditto at Plymouth	-	25,159	17 6
Milford Haven	-	10,000	0 0
April 12. Discharging the debts upon the forfeited estates of John Drummond, intituled Duke of Perth	-	69,910	15 9½
April 30. To the East-India Company for a military force in their settlements	20,000	0	0
Compensation to the provinces in North America for levying, clothing, and pay of troops raised by them, ac- cording as the active vigour and stre- nuous efforts of the respective pro- vinces shall be thought by his Majesty to merit	200,000	0	0
May 10. To John Mills, Esq. for the victuallers in Southampton, and others in like circumstances, for the expences of the Hessians being so long billeted upon them	2,500	0	0
Mr. Harding's widow, balance of account for printing the Journals of the House of Commons	778	16	6
May 15. Augmentations of salaries of the following judges (viz.) 500l. to each of the puisne judges of the King's Bench; 500l. to each of the Com- mon Pleas; 1,000l. to Chief Baron of Exchequer; 500l. to each of the other Barons of ditto, every year	6,000	0	0
Ditto for Scotland (viz.) 300l. to Pre- sident of the Court of Session; 300l. to Chief Baron of Exchequer; and 200l. to each of the other judges in the said courts every year	4,200	0	0

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Carried over 11,744,451 14 8½



	£.	s.	d.
Brought over	11,744,451	14	8½
May 15. Augmentations of salaries of judges for Cheshire and Wales (viz.) 200l. to Chief Justice of Cheshire; 150l. to two Justices of ditto, and 150l. to each of the Justices for the counties in Wales, every year -	1,350	0	0
May 21. Interest of principal sums paid for purchase of lands for securing the docks of Portsmouth, Plymouth, and Chatham -	1,716	1	7½
Charges incurred in pursuance of an Act of last year for purchase of the above lands -	2,443	3	1
May 24. Vote of credit to defray extra expences of the war, and take such measures as the exigency of affairs may require -	1,000,000	0	0
Total £.	12,749,860	19	4½

1759:

33d Geo. II.

Nov. 22. 70,000 seamen, with 18,355 marines, for 1760 -	3,640,000	0	0
Nov. 27. 57,294 land forces, including those in Germany, and 4,010 invalids -	1,383,748	0	10
Forces in Plantations, Gibraltar, Guadaloupe, Africa, and in the East Indies, and provisions for the garrisons in Nova Scotia, Newfoundland, Gibraltar, Providence, Cape Breton, Guadaloupe, Senegal and Goree	846,168	19	0
4 Regiments on Irish establishment in North America -	35,744	8	4
General and staff-officers, and of the hospitals for land forces -	54,454	11	9
Carried over	5,960,115	19	11

	Brought over	£.	s.	d.
Nov. 27. Charge of the embodied militia in South Britain, and the fencible men of Argyleshire, and Lord Sutherland's battalion of Highlanders in North Britain, from Christmas 1759 to 25th April 1760 - -	5,960,115	19	11	
Nov. 27. 38,750 troops of Hanover, Wolfenbuttle, Saxe Gotha, and Buckeburg, &c. from Christmas 1759 to Christmas 1760 - -	102,006	4	8	
2120 Hessian horse, and 9,900 foot, from Christmas 1759 to Christmas 1760 - -	447,882	10	5½	
Additional corps of 920 Hessian horse, and 6,072 foot, from 1 Jan. 1760 to 31 Dec. following - -	268,874	16	8	
Nov. 30. Ordinary of the navy -	97,850	4	10	
Building the hospital at Hasler for seamen - -	232,629	5	1	
Ditto near Plymouth - -	10,000	0	0	
Purchasing ground, for erecting jetty heads for careening wharfs, and accommodations necessary for refitting the fleet at Halifax - -	10,000	0	0	
Greenwich Hospital - -	8,000	0	0	
Office of Ordnance for land service - -	10,000	0	0	
Extra expences of ditto last year not provided for - -	230,296	4	6	
Dec. 7. Towards discharging the navy debt - -	280,563	16	11	
Transport service and victualling land forces, from 1st Jan. to 30th of Sept. 1759 - -	1,000,000	0	0	
Building and repairs of ships - -	501,078	16	6	
Dec. 13. Half-pay officers widows - -	200,000	0	0	
Extra expences of land forces and other services, to 24th Nov. last, not provided for - -	2,042	0	0	
To discharge the sum raised last sessions - -	953,302	15	5½	
Dec. 17. To make good engagements with Prussia - -	1,000,000	0	0	
	670,000	0	0	
Carried over	10,984,642	0	0	
3 F 2				

	Brought over	£	s.	d.
	10,984,642	0	0	
Dec. 18. To take down and remove the gun-powder magazine, &c. near Greenwich in Kent to some more proper and less dangerous situation	15,000	0	0	
Dec. 20. To Hesse Cassel pursuant to separate article of treaty - - -	60,000	0	0	
Foundling Hospital - - -	5,000	0	0	
Jan. 17. Present supply for forage, bread, &c. for the combined army under Prince Ferdinand - - -	500,000	0	0	
Jan. 29. To widen and enlarge London Bridge - - - -	15,000	0	0	
Feb. 7. To sinking fund, deficiency on the 5th of July last of the duties upon officers pensions and houses, by 31st of George II. - - -	124,736	7	1½	
Ditto on poundage, by 32d of Geo. II. to ditto - - -	84,141	15	8	
Ditto on glass and spirituous liquors, by 19 Geo. II. to Jan. 5 - - -	8,752	6	10	
Ditto on stamp duty, wine and coals, to 5th Jan. 1759, by 30 Geo. II.	7,651	9	8½	
Feb. 11. Augmentation of 1001 light cavalry of Hanoverians in our pay, from Christmas 1759 to Christmas 1760	34,333	8	0	
Ditto of 4 squadrons of hunters and hussars of Hessians, for the same time	20,776	5	5	
Ditto of 5 battalions and artillery for the King's army in Germany, for the same time - - -	52,903	19	2	
Feb. 12. Half-pay officers - - -	35,651	9	0	
Reduced officers of Horse Guards and horse - - - -	2,946	0	0	
Nova Scotia, for 1760 - - -	11,785	6	10	
Charges of ditto, in 1758, not provided for - - -	5,851	4	9	
Georgia, from Midsummer 1759 to Midsummer 1760 - - -	4,057	10	0	
Mar. 31. Compensation to the provinces in North America, as last year -	20,000	0	0	
East India Company for a military force in their settlement - - -	20,000	0	0	
Chelsea Hospital - - - -	25,000	0	0	
Carried over	12,218,129	9	6	

	£.	s.	d.
Brought over	12,218,129	9	6
Mar. 31. Augmentation of forces since the estimate of guards and garrisons, for 1760, was presented from their respecting commencements to Christmas 1760	-	-	-
Foundling Hospital for children admitted, to 8 Feb. 1760	-	-	-
	134,139	17	4
Apr. 28. Charge of embodied militia, and the fencible men of Argyleshire, and Lord Sutherland's battalion of Highlanders, from the commencement of their establishment to Christmas 1760	-	-	-
Clothing of embodied militia	-	-	-
New York, their expences in furnishing provisions and stores to the troops, in 1756	-	-	-
Foundling Hospital, for children admitted, from 8 Feb. to 26 March	-	-	-
African settlements	-	-	-
	260,104	16	8
	30,722	0	0
	2,977	7	8
	3,127	10	0
	10,000	0	0
Apr. 29. 959 cavalry, and 1,454 infantry of Brunswick troops in our pay by treaty	-	-	-
Augmentation of Brunswick troops	-	-	-
2 Additional Squadrons of Hessians, and 2 companies of chaffeurs, with augmentation of horse dragoons and foot, to the Hessian troops in our pay, for 1760	-	-	-
Extra expences of land forces and other services incurred, from 24th Nov. 1759, to 24th Dec. following	-	-	-
	66,926	3	0½
	23,843	5	11
	101,096	3	2
May 6. Deficiency of grants last year	-	-	-
Mr. Harding's widow, as a recompence for his pains and services in preparing copies of the Journals, and managing and directing the printing thereof	-	-	-
Jeremiah Dyson, towards printing Journals and Indexes	-	-	-
Pay and clothing of unembodied militia, for the year ending Lady-day 1761	-	-	-
	420,120	1	0
	75,170	0	3½
	3,000	0	0
	2,000	0	0
	80,000	0	0
Carried over	13,475,614	12	6½

	£.	s.	d.
Brought over	13,475,614	12	6½
May 6. Ordinance to pay interest of 4 <i>per cent. per ann.</i> from 25th Aug. 1759 to 25th April last, on 23,800 <i>l.</i> 3 <i>s.</i> 11 <i>d.</i> not paid into the Exchequer as directed by Act, for purchasing lands at the docks, by reason of doubts upon the execution of the said Act	-	634	13 7
May 10. Vote of credit for the war	1,000,000	0	0
1 Regiment of light dragoons, and 1 additional company to Col. Vaughan's corps, for 1760	-	12,874	15 10
May 13. Extra charge of the mint, in 1759	11,940	13	10
To discharge so much of the forfeited estates of John Drummond, taking upon himself the title of Lord John Drummond, as remain unsatisfied and not provided for	-	2,500	0 0
Total	£. 15,503,564	15	9½

1760.

1st Geo. III.

Nov. 27. To his Majesty, during life, a clear yearly revenue, to commence from the late King's death, and to be charged and made payable out of the aggregate fund	-	800,000	0 0
70,000 seamen for 1761, including 18,355 marines	-	3,640,000	0 0
Nov. 29. 64,971 land forces, including 4,008 invalids	-	1,576,985	10 7
Forces in the Plantations, &c.	-	843,756	12 9
3 Regiments on Irish establishment, serving in North America	-	22,179	0 0
General and general staff-officers, and officers of the hospital for land forces	-	72,896	14 2
Embodied militia, Argyleshire men, and 1 battalion of Highlanders	-	140,358	19 4
Clothing of embodied militia	-	56,568	15 2
Dec. 2. Ordinance for land service	-	302,267	9 2
Extra expence of ditto not provided for	-	426,449	4 9
Carried over	7,881,462	6	11

	£.	s.	d.
Brought forward	7,881,462	6	11
Dec. 9. Ordinary of the navy	258,624	7	10
Completing the hospital near Gosport	7,130	0	0
Carrying on the hospital near Plymouth	10,000	0	0
Transport service, from 1 Oct. 1759 to Sept. 30, 1760	479,035	19	2
Towards discharge of the navy debt	1,000,000	0	0
Building and repair of ships	200,000	0	0
Dec. 11. Discharging the sum raised last session upon the first aids of this	1,000,000	0	0
Widening London Bridge	15,000	0	0
Dec. 15. Discharging Exchequer bills made out before the 11th of Dec. 1760	1,232,000	0	0
Dec. 16. 39,773 troops of Hanover, &c. from Christmas 1760 to Christmas 1761	463,874	19	1½
2,120 Hessian horse, and 9,900 foot, from Christmas 1760 to Christmas 1761	268,360	8	8
Additional corps of 1,576 Hessian horse, and 8,808 foot, with officers, &c. from 1 Jan. 1761	147,071	5	2
1,205 Brunswick cavalry, and 2,208 infantry, from Christmas 1760 to Christmas 1761	57,798	16	0
Deficiency of charge of Brunswick troops, to Christmas 1760	2,569	10	0
Charge of 5 battalions, with artillery, serving in Germany, from Christmas 1760 to Christmas 1761	25,504	6	8
Extra expence of land forces and other services, to 9th Nov. 1760, not provided for	1,167,903	12	6
Forage, bread, &c. and other expences and contingences of army under Prince Ferdinand	1,000,000	0	0
Dec. 23. To make good engagements with Prussia	670,000	0	0
Jan. 15. To replace sinking fund, the deficiency on the 5th of July 1760, of several duties on malt	49,424	0	0
Carried over	15,935,759	11	0½

	£.	s.	d.
Brought over	15,935,759	11	0½
Jan. 15. To replace sinking fund, deficiency of duties on windows, by 31st George II. to ditto	72,011	6	11
Ditto, deficiency on 5th Jan. 1760, of subsidy on poundage, by 32d Geo. II.	5,969	12	9½
Jan. 20. Compensation to the provinces in North America	200,000	0	0
East India Company, to maintain a force in their settlements	20,000	0	0
Half-pay officers	34,854	9	2
Ditto widows as before	1,922	0	0
Reduced officers of Horse Guards and Horse	2,973	19	2
Chelsea Hospital	18,360	2	11
Nova Scotia	10,595	12	9
Georgia, from Midsummer 1760 to Midsummer 1761	4,057	10	0
Jan. 22. Extra expences of land forces and other services, from 20th Nov. to Christmas following, not provided for	993,844	4	4½
Jan. 29. To pay off Exchequer bills made out since the 10th of Dec. last	268,000	0	0
To the Mint for 7 years <i>per ann.</i>	15,000	0	0
Feb. 9. Foundling Hospital	44,197	10	0
Supporting the fort of Annamaboo, and other British forts and settlements in Africa	13,000	0	0
Feb. 17. For extra expences of bread, &c. furnished by the Chancery at War of Hanover to the Hessian and Prussian forces in Germany, in 1757 and 1758	336,479	14	1½
Feb. 18. Difference of pay of Anstruther's regiment of foot, from Irish to British establishment, from Christmas 1760 to Christmas 1761; and augmentations to the forces since the estimate for 1761, was presented from the commencement of that establishment to Christmas 1761	22,361	11	8
Carried over	17,999,387	4	11

	£.	s.	d.
Brought over	17,999,387	4	11
Feb. 18. Addition to 140,358 <i>l.</i> 19 <i>s.</i> 4 <i>d.</i> already granted for the embodied militia, Argyleshire men, and Sutherland's Highlanders, from Christmas 1760, to Christmas 1761	298,668	9	10
Feb. 19. Discharging of debts, and wadsett sums * sustained on the forfeited estates of Simon, late Lord Lovat, according to the decrees made in Scotland, and by 25 Geo. II.	38,553	12	1½
Feb. 23. Deficiency of last year's grants	89,510	12	11
Pay of militia when unembodied, and clothing, from Lady-day last, for one year	70,000	0	0
Mar. 7. Vote of credit for the war	1,000,000	0	0
For a reasonable succour, in money, to Hesse Cassel, by treaty	120,000	0	0
Total £.	19,616,119	19	9½

1761.

2d Geo. III.

Nov. 21. 70,000 seamen, for 1762, including 19,061 marines	3,640,000	0	0
Nov. 26. 97,676 land forces, including 4,008 invalids	1,629,320	18	1
Forces in plantations, &c.	873,780	18	7
Four regiments of foot on Irish establishment in North America	23,284	0	6
Ordnance for land service	343,754	17	11
Augmentation to the forces of 9,370 men from Christmas 1761, to Christmas 1762	163,711	12	6
Pay of general and general staff-officers, and officers of hospitals for land service	72,896	14	2.
Extra expence of ordnance for land service	299,161	4	4
Carried over	7,045,910	6	1

\* Nearly the same as mortgages or judgments in England.



	£.	s.	d.
Brought over	7,045,910	6	1
Nov. 28. Ordinary of the navy	272,226	9	1
Completing the chapel of the hospital near Gosport	1,000	0	0
Completing works of the hospital near Plymouth	6,000	0	0
Building and repair of ships	200,000	0	0
Nov. 28. Towards discharging the navy debt	1,000,000	0	0
Dec. 7. Transport service between 1 Oct. 1760, and 30 Sept. 1761	835,025	3	8
To pay off Exchequer bills made out last sessions, and charged upon the first aids of this	1,500,000	0	0
Dec. 10. 39,773 troops of Hanover, &c. as last year, from Christmas 1761, to Christmas 1762	465,638	16	2½
2,120 Hessian horse, and 9,900 foot from Christmas 1761, to Christmas 1762	268,360	8	8
Additional corps, of 1,576 Hessian horse, and 8,800 foot, from 1 Jan. 1762, to 31 Dec. following	147,071	5	2
1,444 Brunswick cavalry, and 2,330 infantry, from Christmas 1761, to Christmas 1762, with the subsidy	68,008	9	1
Two battalions, with artillery, serving in Germany, from Christmas 1761, to Christmas 1762	25,504	6	8
Dec. 10. Embodied militia, Argyleshire men, and Sutherland's Highlanders, from Christmas 1761, to Christmas 1762	443,952	10	10
Clothing of embodied militia	60,706	4	1
To pay off the sum raised last year, and charged upon the first aids	1,000,000	0	0
Forage, bread, &c. and other expences of the army under Prince Ferdinand	1,000,000	0	0
Dec. 14. Extra expence of land forces, to Nov. 24, 1761, not provided for	1,353,662	4	1
Dec. 22. Reduced officers, &c. of Horse Guards and horse	2,952	13	4
Half-pay officers	34,383	0	0
Carried over	15,696,018	16	11½

		£.	s.	d.
	Brought over	15,696,018	16	11½
Dec. 22.	Half-pay officers widows, as before	-	-	-
	London Bridge	-	-	-
		1,838	0	0
		15,000	0	
Jan. 26.	Compensations to the Provinces in North America	-	-	-
	East-India Company, for a force in their settlements	-	-	-
	Chelfea hospital	-	-	-
	Nova Scotia	-	-	-
		133,333	6	8
		20,000	0	0
		13,749	10	5
		5,684	1	10
Jan. 26.	Georgia	-	-	-
	Fort of Annamaboo, and settlements in Africa	-	-	-
	To sinking fund, deficiency of duties on offices on 5th July, 1761, by 31 Geo. II.	-	-	-
	Ditto, deficiency on malt duty, by 33 Geo. II.	-	-	-
	Ditto, of additional duties on malt and ale, by 1 Geo. III.	-	-	-
		4,057	10	0
		13,000	0	0
		52,393	16	9½
		10,540	0	0
		103,906	0	0
Jan. 28.	Extra expences of land forces	958,384	0	10
Feb. 1.	Foundling hospital	-	-	-
		41,752	10	0
Mar. 23.	British Musæum	-	-	-
	Paving the streets of Westminster	-	-	-
		2,000	0	0
		5,000	0	0
Mar. 29.	Pay of the militia, when unembodied, and clothing	-	-	-
	To build a bridge over the Tweed, near Coldstream	-	-	-
		20,000	0	0
		4,000	0	0
Apr. 1.	A reasonable succour, in money, to Hesse Cassel, by treaty	-	-	-
	Deficiency of grants last year	-	-	-
		50,000	0	0
		112,613	5	5¼
May 13.	Vote of credit for the war	1,000,000	0	0
	To Jeremiah Dyson, towards his printing the Journals	-	-	-
		1,500	0	0
Total £.		18,299,153	18	11½

1762.

3d Geo. III.

Dec. 2. 30,000 seamen, including 4,287 marines, for 1763

1,560,000 0 0

Carried over

1,560,000 0 0

3 G 2

	£.	s.	d.
Brought over	1,560,000	0	0
Dec. 7. Extra expences of land forces, from 25 Dec. 1761, to 31 Oct. 1762	1,588,756	15	5
Feb. 3. Ordinary of the navy	380,661	3	11
Completing the hospital, near Ply- mouth	3,000	0	0
Greenwich hospital	10,000	0	0
To satisfy all the Navy, Victualling, and Transports bills payable in course, and made out before 31st Dec. last	3,075,316	0	3
Feb. 14. To satisfy all the Ordnance de- bentures, dated on or before 31st Dec. last, and undischarged	595,423	2	5
Feb. 17. To paving the streets of West- minster	5,000	0	0
Feb. 24. To discharge the like sum, raised last sessions upon the first aids	1,000,000	0	0
Building and repair of ships	100,000	0	0
Feb. 28. Extra expence of land forces and other services, from 1st Nov. 1762, to 9th Feb. 1763	951,249	0	6
March 1. 2,120 Hessian horse, and 9,909 foot, from Christmas 1762 to Lady- day 1763	85,158	14	8
Additional corps of 920 Hessian horse, and 6,072 foot, from 1st Jan. 1763 to 24th Nov. following	87,690	18	6½
656 Hessian horse, 2,736 foot, as aug- mentation to the troops, from 25th Dec. 1762 to 24th Nov. 1763	45,420	16	6½
1,444 Brunswick cavalry, 2,330 in- fantry, from 25th Dec. 1762, to 20th March 1763	49,308	1	1½
Deficiency of pay to augmentation of Brunswick troops voted last sessions	4,328	8	5
Ordnance for land service	204,329	0	0
March 7. To pay off exchequer bills made out last sessions	1,500,000	0	0
56,360 land forces for 121 days, from 25th Dec. 1762 to 24th April 1763, and for reducing their numbers	485,317	2	10
Forces in the Plantations, &c. for the above time	278,893	11	0
Carried over	12,009,853	3	7½

	£.	s.	d.
Brought over	12,009,853	3	7½
Four regiments of foot in the East-Indies, from Christmas 1762 to Christmas 1763	-	-	-
	71,381	16	8
Two regiments of horse in Germany, and four regiments of foot in North America, on Irish establishment, from Christmas 1762 to 34th April 1763	16,438	7	0
Pay of general and general staff-officers in Great Britain	11,291	8	6½
17,536 land forces, including 2,743 invalids, for Great Britain, Guernsey, and Jersey, from April 5, 1763, to 24th Dec. following	408,372	13	4
Forces in the Plantations, &c. for the above time	281,781	3	6
March 10. Pay and clothing militia for one year, from 25th March 1763	150,000	0	0
March 15. To complete the payment of 220,000 l. to Hesse Cassel by treaty	50,000	0	0
Deficiency of half subsidy of tonnage and poundage	49,558	1	6
To sinking fund, the deficiency of duties on offices, &c. 31st George II. to 5th July 1762	48,891	14	11
To ditto of additional duty on beer, by 1 George III.	26,710	0	0
Foundling Hospital	40,050	0	0
Expences of Nova Scotia in 1760	4,589	13	1½
Nova Scotia, for 1763	5,674	1	10
Georgia, from Midsummer 1762 to Midsummer 1763	4,136	0	0
March 17. Compensation to the provinces in America	133,333	6	8
Deficiency of grants last year	7,151	9	1½
African forts and settlements	13,000	0	0
Half-pay officers	33,351	17	6
Ditto widows, as before	1,742	0	0
Reduced officers of land-forces already disbanded, and such as are to be disbanded	88,704	3	4
Reduced officers, &c. of Horse-guards and horse	2,910	1	8
Carried over	13,458,920	15	1½

	£.	s.	d.
Brought over	13,458,920	15	1 $\frac{1}{4}$
To John Harrison, upon a proper discovery (for the use of the publick) of the principles of his instrument for measuring time at sea	5,000	0	0
March 19. To his Majesty for the like sum issued in pursuance of address	6,410	10	0 $\frac{1}{2}$
Chelsea hospital	51,708	13	4
Total	£. 13,522,040	18	6 $\frac{3}{4}$

1763.

4th Geo. III.

Dec. 2. For 30,000 seamen, at 4l. per man per month, for 13 months	1,560,000	0	0
Feb. 3. For the ordinary of the navy, and half-pay	380,661	3	11
- Towards completing the hospital near Plymouth	3,000	0	0
Upon account for seamen who shall not be provided for in Greenwich hospital	10,000	0	0
Feb. 24. For building and repairing of ships for 1763	100,000	0	0
March 1. For the charge of ordnance	204,329	0	0
Dec. 7. For extra expences of land-forces and other services, from Dec. 1761 to October 1762	1,588,756	15	5
Feb. 8. For ditto from Nov. 1, 1762, to Feb. 19, 1763	951,249	0	6
March 1. For 2,120 horse and 9,900 foot the troops of Hesse, and subsidies	85,158	14	8
For an additional corps of ditto	87,690	18	6
Augmentation of ditto troops	45,420	16	6
For 1,444 horse, and 2,330 foot, the troops of Brunswick, and subsidies	49,308	1	1
For deficiency in the sum voted last session for ditto troops	4,328	8	5
March 7. For guards, garrisons, &c. from December 1762 to April 1763	485,317	2	10
For ditto, from April 1763 to 24th December following	408,372	13	4
Carried over	5,963,592	15	2

	<i>£.</i>	<i>s.</i>	<i>d.</i>
Brought over	5,963,592	15	2
For the forces in the Plantations, Gibraltar, Guadaloupe, Martinico, and the Havannah, from Dec. 1762 to April 1763	-	278,893	11 0
For ditto in the Plantations, Minorca, and Gibraltar, from April 1763 to December following	-	281,781	3 6
For general and staff officers in Great Britain for 1763	-	11,291	8 6
For two regiments of horse in Germany, and four regiments of foot in North America, on the Irish establishment	-	16,438	7 0
For four regiments of foot in the East Indies	-	71,381	16 8
March 10. For defraying the charge of pay, &c. of the militia for one year, beginning March 25, 1763	-	150,000	0 0
March 15. To complete the payment of 220,000 <i>l.</i> to the Landgrave of Hesse, pursuant to treaty	-	50,000	0 0
March 17. For pensions to reduced officers widows	-	1,742	0 0
To reduced officers of land forces and marines	-	33,351	17 6
For allowances to reduced Horse-guards	-	2,910	1 8
March 19. For out-pensioners of Chelsea Hospital	-	51,708	13 4
Feb. 17. For Westminster pavements, &c.	-	5,000	0 0
Feb. 24. To discharge supply of credit of last year	-	1,000,000	0 0
March 7. On account of naval exchequer bills issued last year	-	1,500,000	0 0
March 15. To the foundling Hospital	-	40,050	0 0
Nova Scotia in 1760	-	4,589	13 11
Civil establishment for ditto for 1763	-	5,674	1 10
Ditto of Georgia, from June 24, 1762, to June 24, 1763	-	4,136	0 0
March 17. To the provinces in North America	-	133,333	6 8
To the British forts and settlements on the coast of Africa	-	13,000	0 0
To disbanded officers	-	88,704	3 4
To Mr. Harrison, relating to the longitude	-	5,000	0 0
Carried over	9,712,568	11	6

	£.	s.	d.
Brought over	9,712,568	11	6
March 19. For making good what has been issued by his Majesty's orders pursuant to addresses	6,410	5	10
March 15. To make good deficiency of half subsidies of tonnage and poundage to Jan. 5, 1763	49,558	1	6
To make good to the sinking fund the deficiency of the duties on offices and pensions	48,891	14	11
Ditto of additional duties on beer and ale	26,720	0	0
March 17. To make good the deficiency of last year's grants	7,151	9	1
Total	£. 9,851,300	10	10

1764.

5th Geo. III.

German extras	500,000	6	6
Navy debt	650,000	0	0
Army extraordinary	987,434	15	6
Deficiencies of land and malt	300,000	0	0
Dedommagement to the Landgrave of Hesse	50,000	0	0
Deficiency of funds to be replaced to the sinking fund	147,593	18	0
Deficiency of grants for the year 1763	129,489	0	0
Advanced in consequence of addresses	7,350	0	0
Peace establishment for the navy	1,443,568	11	9
Peace establishment of the army	1,509,313	14	0
Of which the forces, ordnance, and staff in America, are	295,833	0	0
The half-pay list is	158,250	0	0
Chelsea Hospital, &c.	122,125	0	0
Government of Nova Scotia	5,703	14	0
Ditto West Florida	5,700	0	0
Ditto East Florida	5,700	0	0
Ditto Georgia	4,031	8	0
Militia	80,000	0	0
African forts	20,000	0	0
Carried over	6,422,093	1	3

	£.	s.	d.
Brought over	6,422,093	19	9
Foundling Hospital	39,000	0	0
Princess of Brunswick's fortune	80,000	0	0
Subsidy to Court of Brunswick	43,901	0	0
British Museum	2,000	0	0
Mr. Blake	2,500	0	0
General survey of America	1,818	0	0
Paving the streets	5,000	0	0

Total £. 7,820,102 19 3

*Epitome of the whole State of the Supply.*

Debt paid	2,771,867	13	6
Exchequer Bills	1,800,000	0	0
Establishment for the navy	1,443,568	11	9
Ditto, army	1,509,313	14	0
Miscellaneous articles	295,352	0	0

Total £. 7,820,102 19 3

1765.

6th Geo. III.

Jan. 22. For maintaining 16,000 men for sea service, including 4,287 marines	832,000.	0	0
Jan. 28. For the ordinary of the navy and half-pay	407,734	11	3
For out-pensioners of Greenwich Hospital	5,000	0	0
For buildings and repairs of ships for 1765	200,000	0	0
March 12. For discharging navy, victualing, and transport bills	1,500,000	0	0
April 2. To thirty chaplains of the navy at 2s. 6d. and thirty at 2s. per day, for 1765	1,231	17	6
Jan. 24. For ordnance land service	174,673	15	10
For ditto not provided for	55,519	10	7
For 17,421 men for land service	608,130	10	7
For forces in the Plantations, &c.	387,502	3	11½
For defraying the charge of difference of pay between the British and Irish establishment of five regiments of foot serving at Gibraltar, &c.	6,346	3	5

Carried over 4,178,138 13 1½  
3 H

VOL. VII.



	£.	s.	d.
Brought over	4,178,138	13	1½
For general and staff officers -	11,291	8	6½
For subsidies to the Duke of Brunswick	10,343	16	9½
For Chelsea pensioners for 1765	109,107	18	4
For pensions to reduced officers widows	1,664	0	0
For reduced officers of land-forces and marines for 1765 -	135,606	12	6
For allowances to reduced Horse-guards, &c. -	2,361	14	2
Feb. 5. For extra services between Dec. 24, 1763, and Dec. 25, 1764	404,496	7	6
March 19. For defraying the charge of pay and clothing the militia for one year, beginning March 25, 1765	80,000	0	0
March 26. To the Landgrave of Hesse Cassel, pursuant to treaty -	50,000	0	0
April 2. Towards discharging unsatisfied claims and demands for expences in Germany during the late war	248,259	17	4½
Out of the monies remaining to be applied of the exceedings of several sums provided for sundry services	251,740	2	7½
April 20. For defraying the charge of three independent companies of foot to be raised for the coast of Africa	6,491	17	4½
March 18. For paying off and discharging exchequer bills made out by virtue of an Act of last session	800,000	0	0
Towards finishing London Bridge	7,000	0	0
March 26. For Nova Scotia for 1765	4,911	14	11
For ditto in 1750, 1751, 1752, 1762, and 1763, not provided for -	7,000	0	0
For Georgia -	3,966	0	0
For East Florida -	5,200	0	0
For West Florida -	5,200	0	0
For expences attending general surveys in North America -	1,601	14	0
Towards building a lazaret -	5,000	0	0
March 28. For paying off one-fourth part of the capital stock of annuities in respect of certain navy, victualling, and transport bills, and ordnance debentures -	870,888	5	5½
April 2. To the Foundling Hospital	38,000	0	0
Carried over	7,238,327	2	8½

	£.	s.	d.
Brought over	7,238,327	2	8½
April 20. To the African forts and settlements	13,000	0	0
For building a blockhouse at Cape Apollonia on the coast of Africa	7,000	0	0
For defraying the charges of a civil establishment on the coast of Africa	5,500	0	0
May 7. To make good money issued pursuant to addresses	2,400	0	0
To the island of Barbadoes, as a compensation for their assistance in the expedition against Martinico	10,000	0	0
March 19. To make good on July 5, 1764, deficiencies of duties on offices and pensions, and on houses, windows, or lights	48,179	1	11½
To ditto on Oct. 10, 1764, of additional duties on wines imported, and certain duties on cyder and perry	49,742	1	2½
To make good the like sum issued for paying 4 per cent. annuities ended Sept. 29, 1764, in respect of navy, victualling, and transport bills, and ordnance debentures	139,342	2	4
March 26. To make good deficiency of last grants	249,660	4	10
Total	£. 7,763,090	13	0½

1766.

7th Geo. III.

Jan. 27. For 16,000 men for sea service, including 4,287 marines	832,000	0	0
Feb. 18. For the ordinary of the navy, and half-pay	412,983	6	3
For buildings and repairs of ships	277,300	0	0
April 10. Towards paying off the debt of the navy	1,200,000	0	0
Feb. 15. For ordnance land service	180,445	19	3
For ditto, not provided for	35,061	6	2

Carried over 2,937,790 11 8  
3 H 2

		£.	s.	d.
	Brought over	2,937,790	11	8
Feb. 15. For 17,306 men, guards, &c.				
including 2513 invalids		605,608	19	9
For general and general staff officers		11,291	8	6½
For forces in the				
Plantations, &c.	392,183	6	5½	
To be applied in				
the reduction of				
ditto, out of sav-				
ings remaining				
of grants of last				
session, for 3 in-				
dependent com-				
panies of foot on				
the coast of Africa	2,321	14	10½	
For the difference of pay between Bri-				
tish and Irish establishment of two				
troops of light dragoons, and six re-				
giments of foot serving in the Isle of				
Man, &c. &c.				
		7,993	11	4
For pensions to reduced officers widows		1,614	0	0
For reduced officers of land forces and				
marines				
		138,674	0	0
For defraying the charge of full pay to				
officers reduced with the tenth com-				
pany of several battalions reduced				
from ten to nine companies, and who				
remained on half-pay Dec. 24, 1765,		5,718	6	8
For Chelsea pensioners		109,875	16	8
March 13. For extra				
expences of land-				
forces, &c. to 24				
Jan. 1766, not				
provided for	404,310	16	6½	
To be applied in re-				
duction of ditto,				
out of savings a-				
rising from the				
pay of land-forces	74,777	14	0	
		329,533	2	6½
March 18. To pay and clothing of the				
militia		150,000	0	0
	Carried over	4,787,060	8	9½

		£.	s.	d.
	Brought over	4,787,960	8	9½
March 27.	To discharge unsatisfied claims and demands for expences in Germany during the late war	106,043	13	8½
	To the Landgrave of Hesse Cassel, to complete the payment of 150,000 l. stipulated by treaty	50,000	0	0
Feb. 15.	To the Trustees of the British Museum	2,000	0	0
March 13.	For paying bank exchequer bills made out by virtue of Act of 4 Geo. III.	1,000,000	0	0
	For paying exchequer bills issued pursuant to Act of last session,	800,000	0	0
	For Nova Scotia	4,866	3	5
	For sundry expences for ditto in 1750, 1751, 1752, 1762, and 1763, not provided for	8,008	12	7
	For Georgia	3,986	0	0
	For East Florida	5,250	0	0
	For West Florida	5,300	0	0
	For expences attending general surveys in North America	1,784	4	0
	For Senegambia	5,550	0	0
March 24.	For maintaining and supporting the British forts, &c. on the coast of Africa	13,000	0	0
March 27.	To the Foundling Hospital	33,892	10	0
	To be applied in reduction of ditto, the saving on the votes of last year	1,167	10	0
		32,725	0	0
April 10.	For paying off one third part of annuities granted in respect of navy, victualling bills, &c.	870,888	5	5½
March 13.	To replace the like sum issued for making good the deficiency on the 5th of July, 1765, of duties on offices, pensions, houses, and windows,	45,561	7	10½
	Carried over	7,742,923	15	9½

	£.	s.	d.
Brought over	7,742,923	15	9½
To ditto for paying 4 <i>per cent.</i> annuities for the year ending 29th Sept. 1765, granted in respect of navy, victualling, and transport bills, and ordnance debentures	139,342	2	4
To ditto, for paying the charges of management of the said annuities for two years and an half, due 29th Sept. 1765	4,898	14	9½
To ditto for making good the deficiency on the 10th of Oct. 1765, of additional duties on wines, cyder, and perry	29,211	12	6
March 18. To ditto, to discharge for one quarter, from 29th of Sept. 1765, the annuities attending such part of the joint stock, established by Act 3 Geo. III. in respect of several navy, victualling, and transport bills, and ordnance debentures, as were redeemed pursuant to Act of last session	8,708	17	7½
April 26. To make good the deficiency of last year's grants	292,828	0	4½
Total	£. 8,117,914	3	5½

1767.

8th Geo. III.

Jan. 25. For maintaining 16,000 men for sea service, including 4287 marines	832,000	0	0
Jan. 29. For the ordinary of the navy and half-pay	409,177	4	8
Feb. 10. For building and repairs of ships for 1767	298,144	0	0
For purchasing hemp to replenish the magazines	30,000	0	0
Apr. 13. To pay off the remainder of navy annuities	1,741,776	10	11
For paying off the navy debt	300,000	0	0
Jan. 27. For ordnance land service	169,600	0	2
For ditto, not provided for, 1766	51,190	6	6
Carried over	3,471,887	15	9

	£.	s.	d.
Brought over	3,471,887	15	9
Jan. 27. For 16,754 men for land service	593,986	15	7
For general and staff officers	12,203	18	6½
For forces in the Plantations, &c.	405,607	2	11½
For defraying the charge of difference of pay between the British and Irish establishment of six regiments of foot, serving in the Isle of Man, Gibraltar, &c.	7,201	14	7
For pensions to reduced officers widows	1,536	0	0
For reduced officers of land forces and marines	135,299	8	4
For allowances to reduced Horse Guards, &c.	2,103	11	8
For defraying the charge of full pay for 1767, to officers reduced with the tenth company, and who remained on half-pay on 24 Dec. 1765	5,633	3	4
Feb. 19. Extraordinary services not provided for	315,917	16	5
For Chelsea pensioners	106,083	2	6
Feb. 1. For paying of exchequer bills made out by virtue of the Act of last session	1,800,000	0	0
To make good money issued pursuant to addresses	12,951	2	2
Mar. 29. For Nova Scotia for 1767	4,866	3	5
For ditto in 1760, not provided for	691	8	0
For Georgia	3,986	0	0
For East Florida	4,750	0	0
For West Florida	4,800	0	0
For expence attending general surveys in North America	1,601	14	0
For Senegambia	5,550	0	0
Mar. 24. For the marriage portion of the Queen of Denmark	40,000	0	0
Mar. 31. Towards making a more commodious passage to the House of Commons	2,000	0	0
For maintaining the African forts and settlements	13,000	0	0
Ap. 9. To make satisfaction to Dr. Swinton for damage done him in the time of the rebellion	700	0	0
Carried over	6,952,356	17	3½

	Brought over	£.	s.	d.
Ap. 13. For paying off one fourth part of wine annuities, established by Act 3 Geo. III.	-	6,952,356	17	3½
May 5. To the Foundling Hospital	-	875,000	0	0
More for apprenticing children	-	28,000	0	0
June 15. Towards satisfying expences incurred on account of Senegal after 29 Oct: 1765	-	1,500	0	0
Towards better enabling his Majesty to defray contingent expences of the forces in North America	-	2,000	0	0
Ap. 9. To replace to Sinking fund the like sum issued for paying 4 <i>per. cent.</i> Annuities, ended 29 Sept. 1766, in respect of navy, victualling, and transport bills, &c.	-	104,506	11	10
To ditto, for paying the charges of management of the said annuities, for one year, 29 Sept. 1766	-	1,592	1	9½
To ditto, to discharge from 29 Sept. 1766 to 25 Dec. following, the annuities attending such part of the joint stock as was redeemed pursuant to Act of last session	-	8,708	17	7½
To ditto, to make good deficiency on 5 July 1766 of duties on offices and pensions, &c.	-	49,660	9	2½
To ditto for making good the deficiency on 10 Oct. 1796, of additional duties on wines, cyder and perry	-	12,758	13	7
Ap. 13. To make good deficiency of last grants	-	129,144	2	8
Also, The pay and clothing of the militia for 1767, charged on the land tax, estimated at	-	80,000	0	0
Deficiencies land tax and malt in 1765 estimated at	-	300,000	0	0
Total	£.	8,908,728	0	6½

1768.

9th Geo. III.

	£.	s.	d.
Dec. 3. 16,000 seamen, including 4,287 marines, at 4 <i>l.</i> per month -	832,000	0	7
Dec. 8. Ordinary of navy, including half-pay - - -	416,403	0	11
17,253 land forces - - -	606,221	12	10
Forces and garrisons abroad -	396,590	4	6
Difference between British and Irish pay for 6 regiments - - -	7,226	17	2
Staff - - - - -	12,237	7	3
Ordnance - - - - -	159,328	11	6
Extra expence of ordnance last year	68,944	12	11
Four per cents. paid off - - -	875,000	0	0
Navy repairs - - - - -	277,954	0	0
British Museum - - - - -	2000	0	0
Jan. 26. Widows pensions - - -	1,536	0	0
Reduced officers - - - - -	132,431	0	0
Allowance to Horse Guards - - -	1,715	13	0
Chelsea pensioners - - - - -	108,949	17	9
Extraordinaries of army - - -	199,988	4	2
Jan. 28. Nova Scotia - - - - -	3,895	1	11
Georgia - - - - -	3,986	0	0
East Florida - - - - -	4,750	0	0
West Florida - - - - -	4,400	0	0
American surveys - - - - -	2,036	14	0
Senegambia - - - - -	5,550	0	0
Feb. 1. Exchequer bills - - - -	1,800,000	0	0
Feb. 4. To replace the same sum taken from the sinking fund - - -	59,322	16	10
Deficiency of sinking fund - - -	53,480	17	8
Forts in Africa - - - - -	13,000	0	0
Foundling Hospital - - - - -	31,000	0	0
Feb. 8. Addresfes - - - - -	10,500	0	0
Navy and victualling bills - - -	88,435	19	6
Borrowed from sinking fund - -	8,750	0	0
Annuities - - - - -	1,750,000	0	0
<hr/>			
Total	£. 8,335,746	11	2



1769.

10th Geo. III.

	£.	s.	d.
Nov. 21. 16,000 seamen, including 4,287 marines at 4 <i>l.</i> per month -	832,000	0	0
Nov. 28. 17,142 land forces - . -	602,673	15	7
Forces and garrisons abroad -	397,835	18	7
Difference between British and Irish pay for 5 regiments and 4 companies	4,661	12	7
Staff - - - -	12,203	11	6
Officers reduced - - -	4,763	5	0
Dec. 5. Ordinary of navy - - -	410,255	8	1
Navy repairs - - - -	282,413	0	0
Ordnance - - - -	177,947	18	0
Extra of ordnance last year -	43,812	19	0
Feb. 6. Widows pensions - - -	1,480	0	0
Reduced officers - - - -	127,020	0	0
Superannuated Horse Guards -	1,331	0	0
Chelsea pensioners - - -	107,394	15	10
Feb. 21. Nova Scotia - - - -	4,375	17	11
Georgia - - - -	3,086	0	0
East Florida - - - -	4,750	0	0
West Florida - - - -	4,800	0	0
American surveys - - - -	1,785	4	0
Senegambia - - - -	5,550	0	0
To pay exchequer bills - - -	1,800,000	0	0
Feb. 23. To Mr. Dingley for damage of his saw-mill - - - -	2,000	0	0
Mar. 2. Arrears of King's civil list -	513,511	0	0
Mar. 7. To erect a powder-mill at Portf- mouth - - - -	4,000	0	0
Mar. 14. Army extraordinaries -	238,557	2	2
To replace the like sum borrowed of Sinking fund - - - -	66,462	1	10
Apr. 10. Foundling Hospital - - -	28,789	6	0
Addresses - - - -	16,500	0	0
Building a more commodious passage to the House of Commons - - -	3,000	0	0
Towards paying navy debts -	400,000	0	0
Deficiency of grants last year -	186,043	1	7
Repairs of African forts - - -	2,000	0	0
Apr. 11. Benefit prizes in the lottery	600,000	0	0
Feb. 12. To the Levant Company -	5,000	0	0
Feb. 20. For a road in North Wales -	2,000	0	0
Carried over	6,907,003	4	10

	£.	s.	d.
Brought over	6,907,003	4	10
May 1. To encourage the making of salt- petre - - -	2,000	0	0
Total	£. 6,909,003	4	10

1770.

11th Geo. III.

Jan. 25. 17,666 land forces - -	624,992	0	2
Garrisons abroad - - -	383,248	1	11
Difference between British and Irish pay for 5 battalions and 4 companies	4,533	12	8
Staff - - - -	12,203	18	6
Officers reduced - - -	4,513	16	8
The same - - - -	123,233	2	6
Widows pensions - - -	664	0	0
Allowance to Horse Guards - -	1,289	1	3
Ordnance - - - -	166,984	11	5
Ordnance last year - - -	40,933	10	8
Feb. 2. 16,000 seamen - - -	832,000	0	0
Feb. 6. Ordinary of navy - - -	405,380	13	11
Building and repairs of ships - -	283,687	0	0
Feb. 15. Army extraordinaries - -	235,264	10	9
Chelsea pensioners - - -	112,423	4	7
Feb. 22. West Florida - - -	4,800	0	0
East Florida - - - -	4,750	0	0
Georgia - - - -	3,086	0	0
Nova Scotia - - - -	4,239	0	5
American surveys - - -	1,885	4	0
Mar. 12. Senegambia - - -	5,550	0	0
To pay Exchequer bills - - -	1,800,000	0	0
Mar. 13. Forts in Africa - - -	13,000	0	0
Mar. 19. Repairing the Mole at Barba- does - - - -	5,000	0	0
Mar. 29. Addresses - - - -	13,100	0	0
British Museum - - - -	2,000	0	0
Passage to House of Commons - -	2,000	0	0
Apr. 10. Debts and claims on forfeited estates - - - -	72,000	0	0
Replaced to the sinking fund - -	46,463	7	5
Carried over	5,260,237	9	7
312			

		£.	s.	d.
	Brought over	5,260,235	9	7
Apr. 12.	Arrears to Landgrave of Hesse	45,565	12	0
	To Levant Company	5,000	0	0
	Foundling Hospital	13,150	0	0
	To pay off 3 per cent. annuities	1,500,000	0	0
	Benefit prizes in lottery	500,000	0	0
May 3.	Roads in Scotland	6,998	10	2
	Towards paying navy debt	100,000	0	0
May 8.	To F. Dalby for loss of his ship	6,195	8	11
	Compensation to inhabitants of Hants, for losses by cattle	796	7	6
May 11.	Printing Journals	600	0	0
	Index to Journals	500	0	0
	Printing Records, &c.	6,000	0	0
Total		£. 7,455,042	8	2

1771.

12th Geo. III.

Nov. 29.	40,000 seamen and marines	2,080,000	0	0
Dec. 6.	Ordinary of navy	378,752	18	7
	Building and repairs of navy	423,747	0	0
Dec. 10.	23,432 land forces	720,629	12	3
	Guards and garrisons	479,170	1	11
	Difference between English and Irish pay for 5 battalions and 4 companies	4,533	12	8
Dec. 12.	Ordnance	259,074	16	11
	Ordnance last year	35,443	0	7
Jan. 28.	Repairing Westminster Bridge	2,000	0	0
Feb. 2.	Staff	11,291	8	6
	Widows pensions	664	0	0
	Reduced officers	117,858	10	0
	Allowance to Horse Guards	1,277	15	5
	Full pay to officers reduced	2,692	11	8
Feb. 12.	Nova Scotia	5,796	10	5
	Georgia	3,086	0	0
	East Florida	4,350	0	0
	West Florida	6,100	0	0
	American surveys	1,885	4	0
Mar. 1.	Army extraordinaries	359,927	0	7
	Chelsea pensioners	112,005	0	0
Mar. 7.	To pay exchequer bills	1,800,000	0	0
Apr. 15.	Foundling Hospital	30,000	0	0
Carried over		6,840,555	3	6

	£	s.	d.
Brought over	6,840,555	3	6
Apr. 15. Towards paying navy debt	200,000	0	0
To replace to the sinking fund	35,085	2	11
Addressees	14,700	0	0
To compensate losses of horned cattle in			
Scotland	799	12	2
Senegambia	6,336	0	9
To Levant Company	5,000	0	0
African forts	13,000	0	0
Cape-Coast castle	2,000	0	0
Apr. 16. Roads in the Highlands	6,928	2	0
To the East India Company, for expences in the expedition to Manilla	28,365	15	8
To indemnify the province of New Hampshire for expences in the war of 1756	6,009	13	3
Total	£. 7,158,779	10	3

1772.

13th Geo. III.

Jan. 31. 25,000 seamen and marines	1,300,000	0	0
Feb. 4. 17,547 land forces	629,491	12	4
Garrisons abroad	388,953	12	7
Difference between Irish and English pay for 5 battalions and 4 companies	4,723	16	2
Staff	11,322	7	3
Widows pensions	644	0	0
Reduced officers	115,765	16	0
Allowance to Horse Guards	1,281	0	6
Chelsea pensioners	124,813	12	6
Ordnance	215,883	17	4
Ordnance last year	32,498	6	3
Feb. 20. Ordinary of navy	394,725	17	6
Building and repairs of navy	375,939	0	0
Nova Scotia	5,346	10	5
East Florida	4,950	0	0
West Florida	5,650	0	0
Georgia	3,186	0	0
Senegambia	6,336	0	9
Carried over	3,621,611	3	10

		£.	s.	d.
	Brought over	3,621,611	3	10
Feb. 20. American surveys	-	1,885	4	0
Mar. 20. Antiquities purchased by Sir W. Hamilton	-	8,410	0	0
Placing them in the British Museum	-	840	0	0
Mar. 30. To pay Exchequer bills	-	1,800,000	0	0
Apr. 7. African forts	-	15,400	0	0
For southern discoveries	-	4,000	0	0
Apr. 9. Army extraordinaries	-	274,432	4	7
Roads in Scotland	-	6,998	14	5
Apr. 14. To replace sinking fund	-	42,445	5	5
To Levant company	-	5,000	0	0
Apr. 30. Addresses	-	6,580	0	0
Compensation to persons in Scotland for losses of horned cattle	-	294	3	11
May 11. Threc <i>per cents.</i> paid off	-	1,350,000	0	0
Deficiencies last year	-	39,456	0	10
To Mr. Irving for making salt-water fresh	-	5,000	0	0
May 18. To Dr. Layard for preventing the infection in horned cattle	-	500	0	0
To Mr. Hill for discontinuing his gun-powder mills on Hounslow-Heath	-	1,500	0	0
Total £.		7,186,253	3	0

1773.

14th Geo. III.

Dec. 3. 20,000 seamen	-	1,040,000	0	0
Dec. 10. 17,070 land forces	-	616,895	1	10
Garrisons abroad	-	396,935	5	10
Difference between English and Irish pay for six battalions and three companies	-	5,503	9	5
Staff	-	11,473	18	6
Chelsea pensioners	-	122,982	3	9
Ordnance	-	218,460	13	10
Ordnance last year	-	17,954	4	7
Feb. 1. Ordinary of navy	-	424,019	0	9
Building and repairs of navy	-	421,554	0	0
Carried over		3,275,777	18	6

			£.	s.	d.
	Brought over		3,275,777	18	6
Feb. 4. Nova Scotia	-	-	5,146	10	5
Georgia	-	-	3,086	0	0
East Florida	-	-	4,950	0	0
West Florida	-	-	7,274	13	6
Senegambia	-	-	6,336	0	9
American surveys	-	-	1,885	4	0
Feb. 18. Reduced officers	-	-	111,127	5	10
Allowance to Horse-guards	-	-	1,148	10	0
Widows pensions	-	-	628	0	0
New roads in Scotland	-	-	6,998	10	9
March 9. To Levant Company	-	-	500	0	0
March 30. To replace sinking fund	-	-	48,245	11	6
To pay exchequer bills	-	-	1,800,000	0	0
Westminster bridge	-	-	2,000	0	0
Apr. 26. Army extraordinary	-	-	249,708	12	1
May 6. Deficiencies of last year	-	-	21,085	1	7
May 17. African forts	-	-	13,000	0	0
May 27. For relief of East India Com- pany	-	-	1,400,000	0	0
May 29. Addressee	-	-	6,200	0	0
June 14. To J. Harrison for his time- keeper	-	-	8,750	0	0
June 19. Allowance to Mess. Hodgson, Gordon, &c. for excise duty	-	-	4,363	0	0
To Dr. Williams for his secret to dye cotton	-	-	2,000	0	0
Total			£. 6,980,210	19	0

1774.

15th Geo. III.

Jan. 24. 20,000 seamen	-	-	1,040,000	0	0
Jan. 27. 18,024 land forces	-	-	638,630	16	10
Garrisons abroad	-	-	375,062	13	4
Difference between English and Irish pay for five battalions and three com- panies	-	-	4,627	0	3
Staff	-	-	11,473	18	6
Chelsea pensioners	-	-	122,731	5	0
Reduced officers	-	-	107,525	19	2
Carried over			2,300,051	14	1

		£.	s.	d.
	Brought over	2,300,051	14	1
Jan. 27.	Allowance to Horse Guards	-	1,010	2 1
	Widows pensions	-	628	0 0
	Ordinance	-	244,699	17 5
	Ordinance last year	-	26,425	0 2
Feb. 22.	Ordinary of navy	-	444,188	4 3
	Building and repairs of navy	-	420,729	0 0
Feb. 21.	New roads in Scotland	-	6,998	18 7
	British Museum	-	2,000	0 0
Feb. 24.	American surveys	-	2,085	4 0
	Senegambia	-	6,336	0 9
	Nova Scotia	-	4,346	10 5
	Georgia	-	3,086	0 0
	East Florida	-	4,950	0 0
	West Florida	-	4,850	0 0
Mar. 31.	To pay exchequer bills	-	1,000,000	0 0
May 12.	Deficiency of gold coin	-	250,000	0 0
May 16.	Extraordinaries of army	-	288,030	19 5
	To Mr. Hartley for experiments on fire	-	2,500	0 0
May 17.	Replace sinking fund	-	43,654	12 8
	African forts	-	13,000	0 0
May 26.	Addressees	-	10,100	0 0
May 31.	Three <i>per cents.</i> paid off	-	880,000	0 0
	Discharge navy debt	-	200,000	0 0
Total		£. 6,159,661	2	10

## WAYS and MEANS,

From 1743 to 1774.

1743.

Land-tax at 4s. and malt for 1744	2,788,065	11	5
Aft for surplus duties on spirituous liquors	1,000,000	0	0
Annuities, and a lottery	1,800,000	0	0
Sinking fund, and remainder of coinage duty	1,036,000	0	0
Total	£. 6,624,065	11	5

## 1744.

	£.	s.	d.
Land tax, at 4s. and malt, for 1745	2,788,065	11	5
Duties on falt for fix years more	1,000,000	0	0
Additional duties on wines imported	2,000,000	0	0
Sinking fund, and furplus of malt tax	821,244	13	8½
Total £.	6,609,310	5	1½

## 1745.

Land tax, at 4s. and malt, for 1746	2,788,065	11	5
Duties on glaſs and ſpirituous liquors	3,000,000	0	0
Sinking fund	1,000,000	0	0
Exchequer bills	500,000	0	0
Coinage duties	15,000	0	0
Total £.	7,303,065	11	5

## 1746.

Land tax, at 4s. for 1747	2,038,065	11	5
Malt tax, and remainder of additional duties on ſpirituous liquors	862,508	19	2
Window tax	4,000,000	0	0
Coach tax	1,000,000	0	0
Sinking fund and exchequer bills	1,500,000	0	0
Total £.	9,400,574	10	7

## 1747.

Land tax, at 4s. and malt, for 1748	2,788,065	11	5
Subſidy on poundage upon all goods and merchandize imported	6,300,000	0	0
Sinking fund	1,000,000	0	0
Total £.	10,088,065	11	5



1748.

	£.	s.	d.
Land tax, at 4s. for 1749	2,038,007	4	4
Malt tax	750,000	0	0
Act to charge sinking fund, with payment of annuities in discharge of navy, victualling, and transport bills, and ordnance debentures	3,230,000	0	0
Sinking fund, and exchequer bills	2,000,000	0	0
Total £.	8,018,007	4	4

1749.

Land tax, at 3s. for 1750	1,528,505	8	3
Malt tax	750,000	0	0
Annuities at 3 per cent.	1,000,000	0	0
Sinking fund, and surplus in the exchequer	1,018,526	10	3
By Act for making good the deficiency of the office of Keeper of the Hanaper	13,698	1	11
Ditto per ann.	3,000	0	0
Total £.	4,313,730	0	5½

1750.

Land tax, at 3s. for 1751	1,500,000	0	0
Malt tax	750,000	0	0
Sinking fund	600,000	0	0
Annuities at 3 per cent. and lottery	2,100,000	0	0
Borrowed at 3 per cent. to be charged on the sinking fund	225,023	11	7
Total £.	5,175,023	11	7

## 1751.

			£.	s.	d.
Land tax, at 3s. for 1752	-	-	1,528,459	18	1½
Malt tax	-	-	750,000	0	0
By the Bank	-	-	1,400,000	0	0
Sinking fund	-	-	500,000	0	0
Total £.			4,178,459	18	1½

## 1752.

Land tax, at 2s. and malt, for 1753	1,750,000	0	0
By surplus in the Exchequer, by the ex- cise of the Act of the fifth and sixth of William and Mary	-	-	-
	100,482	14	3½
Ditto surplus of the funds for lottery, 1714	79,812	16	0
Ditto additional duties on low wines	54,580	9	0
Surplus of grants for the last year	18,035	9	0½
Sinking fund	420,000	0	0
Total £. 2,422,911 8 4½			

## 1753.

Land tax, at 2s. and malt, for 1754	-	1,768,949	14	7
Duty for wines, &c. imported, continued for seven years from last year	-	15,000	0	0
Sinking fund	-	700,000	0	0
From overplus of grants last year	-	7,937	14	2½
From surplus of duties on coals	-	23,562	7	9½
From surplus of duties on licences for spirituous liquors	-	32,652	15	7
Ditto of the funds for lottery, 1714	-	30,195	3	6½
To discharge exchequer bills from the sinking fund	-	499,600	0	0
Total £. 3,077,897 15 8½				

## 1754.

	£.	s.	d.
Land tax, at 2s. for 1755	1,018,946	15	7
Malt tax	750,000	0	0
Overplus of grants last year	3,341	19	2½
Surplus of duties on coals	16,494	17	10½
Ditto of duties on spirituous liquors	19,923	12	9
Ditto of lottery, 1714	28,201	19	8
Lottery	1,000,000	0	0
From surplus of sinking fund	1,420,000	0	0
Total	£. 4,256,909	5	0½

## 1755.

Land tax, at 4s. for 1756	2,037,893	11	2
Malt tax	750,000	0	0
By annuities and lottery	2,000,000	0	0
Remainder of the receipt of the Exchequer disposable by Parliament	83,412	2	5½
Income of the sinking fund for one quarter, ending the fifth of April, 1756	255,955	11	11½
From the revenues of the sinking fund	1,300,000	0	0
Exchequer bills	1,000,000	0	0
Total	£. 7,427,261	5	7

## 1756.

Land tax, at 4s. for 1757	2,037,874	1	10
Malt tax	750,000	0	0
By lottery	525,002	12	6
By annuities on lives	2,500,000	0	0
By ditto	500,000	0	0
From sinking fund	300,000	0	0
Savings out of grants for pay of Hanoverians	19,416	14	9½
Surplus of duties on licences	16,190	5	3
Overplus of grants, for 1756	140,568	5	2½
By exchequer bills	1,000,000	0	0
Overplus of sinking fund in Exchequer, for the quarter ending the fifth of April, 1757	50,491	17	8½
Surplus of the sinking fund	849,508	2	3½
Total	£. 8,689,051	19	7

## 1757.

	£.	s.	d.
Land tax, at 4 <i>s.</i> for 1758 - - -	2,037,874	1	10
Malt tax - - - -	750,000	0	0
Overplus of sinking fund in Exchequer, for the quarter ending the tenth of October 1757 - - -	93,371	11	7½
Ditto for the quarter ending the fifth of April 1758 - - - -	492,400	8	3
From the surplus of the sinking fund -	300,000	0	0
Annuities, at 3 <i>l.</i> 10 <i>s.</i> <i>per cent.</i> - -	4,500,000	0	0
Lottery - - - -	500,000	0	0
More from the surplus of the sinking fund	1,606,076	5	1½
By exchequer bills - - - -	800,000	0	0
Total £.	11,079,722	6	10

## 1758.

Land tax, at 4 <i>s.</i> for 1759 - - -	2,037,854	19	11
Malt tax - - - -	750,000	0	0
Transferable annuities, at 3 <i>per cent.</i>	6,600,000	0	0
Produce of sinking fund in the Ex- chequer, for the quarter ending the fifth of April 1759 - - -	180,076	17	0½
Overplus of grants last year - - -	73,308	3	10½
From the Exchequer, the sum granted in 1755, for Russia - - - -	100,000	0	0
Surplus of the sinking fund - - -	2,250,000	0	0
By exchequer bills - - - -	1,000,000	0	0
Total £.	12,991,240	0	10

## 1759.

Land tax, at 4 <i>s.</i> for 1760 - - -	2,037,854	19	11
Malt tax - - - -	750,000	0	0
Annuities at 4 <i>per cent.</i> and a lottery -	8,240,000	0	0
By exchequer bills - - - -	1,500,000	0	0
Surplus of the sinking fund - - -	2,602,706	9	9
By loans on the first aids of next session	1,000,000	0	0
Total £.	16,130,561	9	8

1760.

	£.	s.	d.
Land tax, at 4s. for 1761	2,037,854	19	11
Malt tax	750,000	0	0
By annuities at 3 <i>per cent.</i> and a lottery	12,000,000	0	0
By duty of 10s. per tun on wines imported, continued for 7 years	15,000	0	0
By Exchequer bills	1,500,000	0	0
Remainder in the Exchequer of 90,000 <i>l.</i> granted in 1759, for the militia	88,667	10	0
By loans on the first aids of next session	1,000,000	0	0
Surplus of Sinking Fund	1,762,400	0	0
By provision for the Civil List	800,000	0	0
Total	£. 19,953,922	9	11

1761.

Land tax, at 4s. for 1762	2,037,854	19	11
Malt tax	750,000	0	0
By annuities at 3 <i>per cent.</i>	12,000,000	0	0
Exchequer bills	1,500,000	0	0
From the sum granted, 2d George II. for the arrears of his late Majesty's Civil List	115,000	0	0
Part of the 100,000 <i>l.</i> granted in 1758, for the militia	20,000	0	0
Remainder of the sum in the Exchequer, granted in 1760, for the unembodied Militia	80,000	0	0
Remainder of the sum granted last session for ditto	70,000	0	0
Remainder of several duties on malt granted in 1760	73,678	0	0
Surplus of the Sinking Fund	1,009,217	2	8½
By loans charged on the first aids next session	1,000,000	0	0
Total	£. 18,655,750	2	7½

1762.

	£.	s.	d.
Land tax, at 4s. for 1763 - -	2,037,854	19	11
Malt tax - - -	750,000	0	0
By annuities at 4 per cent. on navy and victualling bills - -	3,468,977	4	2
By ditto upon ordnance debentures -	595,423	2	5
By annuities and two lotteries -	3,500,000	0	0
Surplus on Sinking Fund -	2,000,000	0	0
Surplus of several duties on beer and ale, 1 George III. - - -	47,120	9	6
Exchequer bills charged upon the first aids -	1,800,000	0	0
Total	£. 14,199,375	16	0

1763.

Dec. 4. Duties on malt - -	750,000	0	0
Dec. 9. Land-tax - -	2,000,000	0	0
March 8. By annuities and two lotteries -	3,500,000	0	0
March 19. Out of the Sinking Fund -	2,000,000	0	0
By money remaining in the Exchequer, being the surplus of the several duties on beer and ale - -	47,120	9	6
By loans, or Exchequer bills, to be charged on the first aids granted next session - -	1,800,000	0	0
Total	£. 10,097,120	9	6

Note. Feb. 7. The principal on navy, victualling, and transport bills, made out before Dec. 31, 1762, and delivered March 25, 1763, amounting to the sum of 3,075,316*l.* *os.* 3*d.* was ordered to be, with the interest, converted into four per cent. annuities.

Note also. Feb. 17. The principal on ordnance debentures, dated before Dec. 31, 1762, and delivered before March 25, 1763, amounting to the sum of 595,423*l.* 2*s.* 5*d.* was ordered to be converted into the like annuities.

Note likewise. March 8, was voted an additional duty of 8*l.* per ton upon French wines, and 4*l.* per ton upon all other wines

wines imported; and the money raised by annuities, and a lottery was charged thereupon.

Note further. March 14, was voted an additional duty of 4s. per hoghead upon all cyder and perry made within this kingdom; and 2s. per ton upon all cyder and perry imported.

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1764.

Land-tax and malt	-	-	2,750,000	0	0
Exchequer bills taken by the Bank			1,000,000	0	0
New Exchequer bills to be issued	-	-	800,000	0	0
Of the Bank for the renewal of their contract	-	-	110,000	0	0
Savings under the head of extraordinaries			163,558	3	0
Militia money	-	-	150,000	0	0
Annuity fund, 1761	-	-	3,497	9	9
The saving of non-effective men, which in the present year is	-	-	140,000	0	0
Produce of the French prizes taken before the declaration of war			700,000	0	0
The surplus of the Sinking Fund	-	-	2,000,000	0	0
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Total			£. 7,817,055	12	9
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1765.

Jan. 21. By malt duties continued	-	-	750,000	0	0
Jan. 29. By 4s. per pound on land			2,000,000	0	0
March 14. By a lottery and annuities			1,500,000	0	0
March 28. By money remaining in the Exchequer	-	-	135,213	5	0½
Out of the Sinking Fund	-	-	2,100,000	0	0
April 2. By monies remaining to be applied of the exceedings of several sums provided for sundry services			251,740	2	7½
April 4. Money remaining in the Exchequer granted last session for the militia	-	-	80,000	0	0
April 20. By loans on Exchequer bills			800,000	0	0
Out of duties granted last session on account of securing the American plantations	-	-	60,000	0	0
			<hr/>		
Carried over			7,676,633	7	8

	<i>£.</i>	<i>s.</i>	<i>d.</i>
Brought over	7,676,633	7	8
May 6. By money agreed to be paid for maintenance of French prisoners -	308,000	0	0
May 7. Out of duties granted this session upon the importation and exportation of gum fenega and gum arabic -	12,000	0	0
	7,996,953	7	8
Supply	7,763,090	13	½
	233,862	14	7½

Note. Feb. 7. Several stamp duties were granted in the British Colonies and Plantations in America.

Note also. March 12. Several duties were granted upon the postage of letters in America and England.

Note also. March 14. Principal on navy, victualling, and transport bills, made out before June 30, 1764, and delivered before March 26, 1765, to be entitled to the several annuities therein mentioned; and also an additional duty of 4s. per chaldron on coals exported; and also 1s. in the pound for wrought silks, &c. and also 2l. in every 100l. for any sort of white calicoes and muslins exported, besides the old subsidy, and several duties upon policies of assurance.

Note also. March 25. Leave given for the importation from the Isle of Man of goods the product of the East Indies, upon payment of one half of the old subsidy.

Note also. April 20. A duty was laid on gum fenega and gum arabic imported and exported.

Note also. April 30. Several duties were granted upon sugar, rice, deals, coffee, soap, and linen cloth.

## 1766.

Jan. 31. By malt duties continued -	750,000	0	0
Feb. 21. By 4s. per pound on land	2,000,000	0	0
March 18. By loans on Exchequer bills	1,800,000	0	0
April 21. By annuities and a lottery	1,500,000	0	0
Out of the Sinking Fund -	2,150,000	0	0
April 29. Money remaining in the Ex- chequer granted last session for de- fraying the charge of paying and clothing the militia -	80,000	0	0

Carried over 8,280,000 0 0

3 L



	£.	s.	d.
Brought over	8,280,000	0	0
Money agreed to be paid for the maintenance of French prisoners	181,000	0	0
Monies remaining in the Exchequer for the disposition of Parliament, granted by Act 4 Geo. III. towards defraying the expences of defending, protecting, and securing the British Colonies and Plantations in America	60,000	0	0
Total	£. 8,521,000	0	0

1767.

Nov. 27. By malt duties continued	750,000	0	0
March 2. By 3s. per pound on land	1,500,000	0	0
March 9. By loans on exchequer bills	1,800,000	0	0
April 16. By annuities, and a lottery, charged on the Sinking Fund	1,500,000	0	0
Money remaining in the Exchequer on 5th April, 1767	469,147	14	0½
Out of the growing produce of the Sinking Fund	2,010,121	10	3½
Other monies remaining in the Exchequer for the disposition of Parliament	35,202	9	2
Savings arising upon grants for the pay of several regiments upon respited pay, and by off-reckonings and stoppages made for provisions delivered to the forces in North America, &c. applied towards discharging of extraordinary 1766	261,571	13	0½
By savings on widows pensions applied to ditto	7,844	17	9
Out of monies for defraying the expences of North American Colonies applied towards defraying military expences there in 1766	110,000	0	0
Militia money granted last year	150,000	0	0
By monies for maintenance of French prisoners	181,000	0	0
Total	£. 8,774,888	4	6½

A. 1774.

D E B A I E S.

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Note. 2d and 16th April several additional duties were granted on straw hats, &c. and on materials for making them; and on linen cloth and drillings, were carried to the Sinking Fund to make good the payment of the annuities upon the 1,500,000/.

84,604 l. 3s. 3d. of the two-sevenths excise was carried to the Aggregate Fund.

The monies paid into the Exchequer on 5th April 1768, of duties on gum senega and gum arabic, to be applied towards making good the supply, estimated at 12,000/.

Note also. 5th and 7th May, additional duties were granted on linen cloth, drilling, foreign canvas, and lawns imported.

1768.

	£.	s.	d.
Malt	700,000	0	0
Land-tax, 3s.	1,528,568	0	0
By annuities and a lottery	1,900,000	1	0
By exchequer bills	1,800,000	0	0
From the Sinking Fund	2,250,000	0	0
American duties	70,000	0	0
From the East India Company	400,000	0	0
Balances in the hands of Paymasters	106,358	0	0
Total	£. 8,754,626	17	0

1769.

Malt duty	700,000	0	0
Land-tax, 3s.	1,528,568	0	0
Exchequer bills	1,800,000	0	0
From the East-India Company	400,000	0	0
By a lottery	780,000	0	0
Monies for the disposition of Parliament	30,000	0	0
Money in the Exchequer	135,177	15	6
From the Sinking Fund	1,664,822	4	5
Army stoppages and Paymasters accounts	109,866	16	4
Money in the Exchequer	59,879	8	5
Total	£. 7,208,313	4	8

1770.

	£.	s.	d.
Malt duty - - -	700,000	0	0
Land-tax 3 s. - - -	1,528,568	0	0
Exchequer bills - - -	1,800,000	0	0
Money in the Exchequer -	299,375	6	6
From the East-India Company -	400,000	0	0
Surplus of Sinking Fund -	773,240	16	0
Money in the Exchequer -	13,596	5	10
Lottery - - -	500,000	0	0
Surplus of Sinking Fund -	1,700,000	0	0
From the Paymaster - - -	55,495	15	8
Money in Exchequer for the disposition of Parliament - - -	20,000	0	0
Lord Kinnoul's balance -	3,948	3	7
Total	£. 7,794,224	19	7

1771.

Malt duty - - -	700,000	0	0
Land-tax, 4s. - - -	2,037,854	19	11
Exchequer bills - - -	1,800,000	0	0
Lottery - - -	200,000	0	0
Money in the Exchequer -	691,977	7	9
Anticipation of Sinking Fund -	1,650,000	0	0
Supplies of last year - - -	89,658	16	9
From the East-India Company -	400,000	0	0
Duties reserved for America -	20,000	0	0
Excise duties in the Exchequer -	30,291	11	3
Money in the Exchequer for the disposition of Parliament - - -	20,000	1	6
Total	£. 7,639,782	17	2

1772.

Malt duty - - -	750,000	0	0
Land-tax 3s. - - -	1,500,000	0	0
Surplusses of last year - - -	136,416	0	8
Other surplusses - - -	55,192	6	11
Exchequer bills - - -	1,800,000	0	0
Carried over	4,241,608	7	7

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	£.	s.	d.
Brought over	4,241,608	7	7
From the East India Company	-	400,000	0 0
Money in the Exchequer	-	805,398	13 2
Savings in army accounts	-	138,090	5 10
Savings in levy money	-	36,772	10 0
Savings in grants between English and Irish pay	-	1,863	13 10
Savings in the grants for reduced officers	-	40,000	0 0
Lottery	-	150,000	0 0
Anticipation of Sinking Fund	-	1,856,723	1 2
Duties reserved for America	-	20,000	0 0
Surplus of duty on salaries, pensions, &c.	-	21,710	0 0
Other money in the Exchequer	-	10,426	9 3
Total	£. 7,722,593	0	10

## 1773.

Malt duty	-	750,000	0 0
Land-tax 3s.	-	1,500,000	0 0
Sinking Fund	-	350,193	7 4
Exchequer bills for the East India Company	-	1,400,000	0 0
Anticipation of Sinking Fund	-	2,349,806	12 7
Exchequer bills	-	1,000,000	0 0
Duties reserved for America	-	10,000	0 0
From the East India Company	-	169,398	18 2
Money in the Exchequer	-	9,961	11 8
Total	£. 7,539,360	9	9

## 1774.

Surplusses in the Exchequer	-	113,190	11 7
Malt duty	-	750,000	0 0
Land-tax 3s.	-	1,500,000	0 0
Money in the Exchequer	-	619,303	7 3
Carried over	2,982,493	18	10

		£.	s.	d.
	Brought over	2,982,493	18	10
Exchequer bills	-	1,250,000	0	0
Anticipation of Sinking Fund	-	2,080,696	12	8
Duties reserved for America	-	15,000	0	0
Surplus of 1773	-	126,981	7	5
Two 7ths of excise	-	23,637	11	10
Duties on rice, &c.	-	20,237	5	3
Deduction on Chelsea pensioners	-	16,500	0	4
Savings of Militia	-	30,561	9	3
Total		£. 6,546,108	5	7

## A P P E N D I X.

*In the Third Volume of this work, page 398, mention is made of the late Mr. Grenville's Navy Bill. Since that volume was printed the Editor has been favoured with the purport of Mr. Grenville's Speech in support of his Bill, and with the substance of the arguments offered by other gentlemen, both for and against the Bill.*

This Debate was on the resumed consideration of the Bill\*.

**M<sup>R</sup>. GRENVILLE**—In a nation, which in a great measure owes its very being and support to the flourishing state of trade and navigation, the increase and encouragement of seamen is a consideration peculiarly worthy the attention of the Legislature. Sound policy directs every commercial state to invite seamen to enter cheerfully into the service of their country, rather than to press and compel them to a reluctant duty, by force and violence. The many hardships and distresses to which this useful body of men are exposed, the various modes of discouragement by which their zeal and vigour is depressed, must raise emotions of pity in every susceptible mind, and must render every one, who is endowed with the sentiments of humanity, sincerely anxious to procure them the most speedy and effectual redress. The motives of compassion alone, abstracted from all political considerations, all views to national advantage, are of themselves inducements sufficiently cogent, to make us earnest in the behalf of these oppressed members of the community, whose sufferings are no less a grievance to themselves, than a reproach to the nation.

How lamentable is it to reflect, Sir, that, after toiling abroad whole years in the service of their country, being exposed to all the perils of the sea, all the noxious effects of close confinement, unwholesome viands, and unhealthy climates.—I say, after having experienced all these dangers and hardships, how lamentable is it, on their return home, harassed and distressed, to find no part of their wages, so hardly earned, ready for their receipt; nor any time fixed for the payment of the scanty pittance? In this cruel situation, Sir, necessity obliges them to raise money by anticipation; they become the property of the vilest harpies, and are forced to submit to the most usurious extortion.

\* The Bill was first brought in the year before, and was postponed for further consideration.

This, however, is not the only defect in our naval system. Seamen, in his Majesty's service abroad, having no opportunity of remitting any part of their wages to their wives at home, have, from this restriction principally, taken a general disgust to such service. It is not easy to conceive any valid objection, which can be made against this privilege of remittance—a privilege which is allowed in the French marine; a privilege which is constantly granted by our own East India Company, and by several merchants of this kingdom.

An indulgence of this kind, Sir, appears to be perfectly agreeable to the rules of natural equity and national policy. To reflect on a distressed family, cut off from their chief support, pining in indigence, and at the same time debarred from receiving the affectionate tribute, which the husband and the parent would gladly remit, is a consideration too affecting to dwell upon. Not to insist on the inhumanity, I would urge the impolicy of such a restriction; the withholding so just and natural an indulgence, must necessarily create, among that class of people, a repugnance to matrimony, and must consequently tend to lessen the number of our inhabitants, which are the strength of a kingdom.

I am sorry to observe, Sir, that the derision with which our brave sailors are treated, and the slight esteem in which their profession is held, in proportion to its importance, are no small aggravations of the severe hardships which they so unjustly experience in themselves and their families.

I would not, however, attempt to address myself to the passions of this assembly, but to appeal to their judgments. The cause I espouse does not require the exertion of pathetic power; and if it did, I am conscious of my inability to move your affections. The nature of the subject will suggest, what I am incapable of describing: and your own feelings will afford you a lively representation of those affecting circumstances, which would appear languid from my imperfect description.

I will cease, therefore, to urge motives of compassion, and will proceed to examine the Bill now depending, solely as it regards the essential point of national utility.

To preserve that order of perspicuity, Sir, which the nature of this enquiry demands, it will be proper for me to take a short view of the laws now in being, which principally concern the regulation of the naval system.

Amongst these, the most material are two acts, which were passed in the first year of his Majesty's reign, in consequence of a gracious recommendation from the Throne. The one is entitled, "An Act for granting to his Majesty the Sum of 500,000*l.* towards discharging Wages due to Seamen, and for  
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the constant, regular, and punctual Payment of Seamen's Wages for the future." The other is entitled, "An Act for encouraging Seamen to enter into his Majesty's Service."

The object of the first of these Acts was, agreeably to its title, the securing the regular and punctual payment of seamen's wages; and it was framed with a view to prevent the money granted for that service, from being appropriated to any other branch of the naval department. It is, therefore, thereby enacted, "That out of all sums granted, or to be granted, by Parliament, for the service of the navy, such parts thereof, as are on the head of seamen's wages, shall be constantly issued, and applied for the payment of such wages, in the manner following; that is to say, when any of his Majesty's ships shall have been in pay six months, and be in any part of Great Britain, or on the coast thereof, the Commissioners of the Navy shall thereupon cause two months wages to be paid to such officers and seamen, or their attorneys: and in case such ships shall be then in any part of Ireland, or abroad in foreign parts, if the inferior officers and seamen shall desire to have their two months wages paid at home, the Commissioners of the Navy are to cause payment of the same to be made, within one month after the receipt of the pay-list for each ship, to the attorneys of such officers and seamen; and so on, at the end of every six months, two months wages are to be paid as aforesaid; and when such ships shall have been eighteen months in sea-pay, the wages of the first twelve months shall be paid, deducting what shall have been advanced as aforesaid, within two months after, or so soon as any such ship shall put into any port of this realm, where his Majesty's ships are usually paid: and as to the residue of their wages, the same shall be paid within two months after the arrival of any such ship in the port where she is to be laid up."

This Act, Sir, was planned under the concurring direction of the Treasury and the Admiralty, and was, in a great measure, really executed for near the space of six years. At the expiration of that time, although it has never been repealed, and although the instructions for carrying it into execution are still in force, it has nevertheless been utterly disregarded. It must, indeed, be acknowledged, that the provisions it contains are, some of them, extremely inaccurate, and lie open to many frauds and inconveniences.

The clause which orders the payment of ships which shall be in any port of Great Britain, or upon the coast thereof, is one flagrant instance of the inaccuracy of this Act; for such payment being requisite to be made under the direction of a Commissioner of the Navy, and by clerks in possession of the proper navy-books, can only be performed when the ships



arrive at ports where such Commissioners and pay-clerks are resident; and it can never be proposed to station them in all the ports of Britain, and round the coasts of this island.

By another provision in this Act, "Seamen belonging to such ships as shall be in any port of Ireland, or abroad in foreign parts, are allowed, by pay-lists to be transmitted home by the Captain, to allot two months pay at the end of every six months, to be paid to their attorneys." This clause, Sir, made a wide opening for fraud and imposition. It suggested a practice to those harpies, who prey upon the wants of mankind, of advancing money to the purser and captain's clerks, for the purchase of letters of attorney for the two months pay; which amounting to forty-five shillings, after the stated deductions from it, was frequently sold in the West Indies, and other foreign parts, for eighteen or twenty shillings, by which the poor seamen suffered a draw-back of about 60 *per cent*. Upon this occasion it gives me pain to observe, that some of the officers themselves were, upon too manifest grounds of suspicion, thought to have been concerned in this cruel and infamous practice.

Notwithstanding another Act of the same year, for rendering all seamen's letters of attorney void, unless revocable, yet these impositions by degrees extended through the whole navy, and occasioned objections against this method of payment; which, co-operating with the short sums voted for the naval service, and with the desire of paying those branches first which bore interest, gradually relaxed the execution of this Act, till towards the year 1739, when it was totally disregarded. Proper means, nevertheless, might have been devised for checking these impositions; and it does not appear by what authority the regular and speedy payment of wages, appointed by this Act, is boldly discontinued.

The other Act, Sir, for encouraging seamen to enter into his Majesty's service, has been executed; and, in most instances, is still put in force. Many clauses, however, are inaccurately worded, and are found by experience to be inadequate to the purposes intended: of which, instances will appear in the course of my remarks on the Bill now depending.

Having thus, Sir, briefly opened the present state of our naval regulations, give me leave to offer a few observations on the most material clauses of the Bill now depending. It consists of some which are entirely new, and has incorporated others from the Acts now in being, which are proposed to be hereby repealed.

Here, Sir, I cannot forbear applauding the excellent scheme of repealing the former Acts, and enacting those clauses *de novo*, which

which are intended to be retained. This method is infinitely preferable to the usual practice of continuing the old laws in force, and adding explanations of them by subsequent Acts.—A practice, Sir, which has rendered statutes so voluminous, and has introduced such endless doubts and perplexities on almost every subject, that our laws, in this respect, are so many snares for the weak, and a subject of ridicule for the wise.

The Bill now before us, Sir, among other things, enacts, “That volunteers are to be allowed the usual conduct-money, and also two months wages advance, at the first sitting out of the ship, and before she proceeds to sea.”

This is an amendment of the Act of 1 Geo. II. “For encouraging Seamen,” by the insertion of the additional words “at the first sitting out of the ship;” which were inadvertently omitted in that Act. By these words, the payment of the two months advanced wages, is restrained to the volunteers on board of the ship at such first sitting out. For want of this restriction in the Act of Geo. II. the direction therein given for the payment of the advance-money, stands general for every port and for every time any such ship shall be fitted out.

The Bill likewise provides, “That every supernumerary man serving ten days in any ship, shall be borne for, and entitled to, his wages, upon the books of such ship, and to all other benefits, as if he was part of the complement of such ship.”

This clause, Sir, is entirely new, and calculated to prevent the oppressive practice of bearing men upon his Majesty’s ships for a considerable time as supernumeraries, under which denomination they are only entitled to victuals, and not to wages. If I am rightly informed, Sir, this practice is pursued in the following manner: Suppose a ship to be put in commission, and the complement of her crew to consist of five hundred men—the officers of this ship immediately begin to enter such men, either good or indifferent, as they can first procure, to the amount of this complement, which is the whole number entitled to wages: their complement being full, they nevertheless continue to receive volunteers, and to press men, to the amount, perhaps, of four hundred men more; all which, exceeding their complement, they enter on their books as supernumeraries. When the ship is ordered to proceed to sea, the officers cull their crew out of the whole nine hundred, admitting perhaps one hundred of the supernumeraries, and relinquishing the rest, which are generally turned over to other ships, and liable to be entered there also as supernumeraries. By these means it has frequently happened, that many unhappy men, who have been torn from their wives and families, and

cut off from the means of livelihood, have been inhumanly tossed from one ship to another, for the space of two years, before they were established on any, as part of her complement, so as to entitle them to wages.

In this case likewise, Sir, purfers, surgeons, and sloop-sellers, by whom such seamen have been furnished with medicines and necessary clothing, are put to great difficulties in tracing them through the several ships, in order to obtain their just demands.

It will be in vain, to urge in defence of this practice, that it gives the officers of his Majesty's ships an opportunity of procuring abler crews than they could otherwise obtain, and consequently renders the fleet in general better manned. The purpose of culling the crew is sufficiently indulged in the clause under consideration. The officers are permitted to detain any man nine days, before he is received into the ship's complement, and entitled to wages; and upon finding a better man, they are empowered at any time to receive him into their crew, and to dismiss any one in his stead, whom they have already admitted. This clause therefore allows them a sufficient time for examining the men they procure, so as to select their complement; and only restrains them from keeping such poor men an unreasonable time without coming to any determination, and by that means depriving them of the benefit of being entitled to wages.

The fifth clause in the Bill, Sir, directs, that "Such sums of money shall in the first place, from time to time, be issued and applied out of the supplies granted for any naval services, as shall be necessary for the regular and punctual payment of all tickets, and of all pay and wages due, in the following manner, that is to say, as soon as any ship shall have been in sea-pay twelve months, or more, five complete pay-books shall be immediately made out for all the officers and seamen, for all the time such ships shall have been in pay, except the last six months, and shall be forthwith transmitted by the first safe opportunity, with three alphabets and a sloop-book, to the Commissioners of the Navy at London; and as soon as such ship shall be or arrive in any port of Great Britain, where there is a Commissioner of the Navy, the Commissioners of the Navy at London are to cause payment to be made of the wages due, deducting the advance-money and all defalcations, leaving always six months wages unpaid, and no more; and all the wages due upon any ship, shall be paid within two months after the arrival of such ship in port to be laid up."

This, Sir, is an entire new clause, and is indeed the great basis of the Bill. By appointing the payment of six months wages,

whenever twelve months are due, the seamen will receive a considerable sum together, which may be worth preserving entire, for the benefit of themselves and families: whereas, by the Act I have before taken notice of, which directs the payment of two months wages in fix, they receive such a scanty pittance, as they generally deem too inconsiderable to be an object of frugality,

This clause also restrains the payment to such ships as shall arrive, or be at any port of Great Britain, where a naval Commissioner resides; by which means no wages are allowed to be paid upon letters of attorney from seamen during their absence abroad, and thus all impositions attending that pernicious practice are prevented,

It likewise fixes a convenient interval between the payments, and detains a proper limited arrear unpaid; which arrear, when such ships are in Great Britain, is not to be less than six months, nor to exceed twelve months wages: a detention which cannot be deemed a hardship, since seamen, who are servants of the publick, will suffer no greater inconvenience in this respect, than servants in general experience in private families. Besides, it is, perhaps, necessary that some arrear should be detained, in order to satisfy the legal demands of the purfers, sloop-sellers, and other persons, by whom seamen are furnished with clothes and other necessaries on shipboard.

But the principal part of this clause, Sir, is the direction for securing the preference of payment to seamen's wages, before any other branch of the naval department; which remedies a mischief that has too long been prevalent. Here, Sir, it is necessary for me to observe, that although vast sums are annually granted for the service of the navy, according to the estimates delivered; yet extraordinary expences often arise, which, in some articles, exceed those estimates; by which means there must be a failure of payment somewhere. Upon which occasion, it has been the practice of Ministerial policy, to supply the demands of the other branches of the naval department, and to let the weight of the deficiency fall on the head of seamen's wages, as the most popular branch, and the most likely to be provided for without opposition, in future grants. This policy, Sir, has been the rather favoured, as several articles in the naval department, for which Navy Bills are issued, bear interest, and are liable, by delays of payment, to be raised in their prices; whereas seamen's wages bear no interest, and continue fixed, notwithstanding any delays of payment. Thus this branch of the naval department has, by an unusual reverse of effects, continually been the most oppressed, because the most favoured by the legislature and the publick.

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The practice, Sir, of thus allotting the supplies, hath exposed our brave seamen to numberless distresses. Their necessities, and their title to publick favour from their sufferings and services, plead strongly for their immediate payment, in preference to all other claimants; at least humanity and justice require, that the sums which are expressly granted by the legislature for their support, should not be withdrawn from them, and appropriated to other creditors.

Against such misapplication, Sir, the clause under consideration has effectually provided; and, as it now stands, it seems formed with a simplicity and strength, to withstand force and defy artifice.

The seventh clause of this Bill, Sir, is likewise altogether new, and is calculated to prevent the hardships to which inferior officers and seamen are liable, who have been absent, with the leave of their Commanding Officer, or by sickness, or any other justifiable cause, at the time their ships are paid off. According to the present practice, when ships are paid off at the outports, the pay-books are generally kept there for a considerable time afterwards, and recalls of the ships, that is, repeated days of payment, are appointed in favour of the absentees.—After which the pay-books are sent to London, where recalls of the same ships are sometimes made, but not so frequently as suits the convenience of the poor seamen, who, by reason of these delays, are often constrained to sell the pay due to them at a very considerable loss: or, perhaps, being hurried on board other ships, lose the opportunity of recovering their right.

To remedy these evils, Sir, the payment of such absentees is, by this clause, proposed to be made by pay-books and pay-lists, to be transmitted from the Navy-office to the ports prescribed. Which will be attended with no other difficulty than the conveyance of such books and lists between London and those ports: and such as are acquainted with the multitude of books and papers now sent to the dock-yards three or four times in a week, will find no inconvenience in this practice.

The eighth clause, Sir, is wisely contrived to expedite payment of dead seamens tickets. And the ninth relates to another species of tickets, that is, the tickets of discharged seamen, who are disabled from farther service, and are not admitted into his Majesty's hospitals. This clause is admirably calculated to prevent those inconveniences which have hitherto prevailed. According to the present practice, when seamen are discharged, their tickets are delivered to themselves, and ordered to be immediately paid; yet, when these tickets are produced, the authenticity of the tickets, as well as the identity of the persons producing them, undergo the severest examination. The difficulty

facility of ascertaining these points continually postpones the payment of these tickets, by which means these disabled men, after a painful journey to London, are harassed by delays and attendances, and are generally obliged to sell their tickets to usurious purchasers at an enormous loss. These flinty usurers, upon proving the payment of the purchase-money, are not required to ascertain any identity of person: whereas the poor seaman, on offering his own ticket for payment, is often perplexed to prove himself the same person for whom it was made out.

But this clause, Sir, having directed the transmission of these tickets to the Commissioners of the Navy, without any previous delivery to the seamen themselves, at once establishes their authenticity.

These tickets likewise being directed to be paid to the seamen themselves, are not liable to be sold, nor to become the instruments of usurious extortion.

Lastly, Sir, the certificates of discharge being indented, may be cut off from the several tickets, which will render any forgery impracticable; and upon their being produced by the seamen to the Commissioners of the Navy, and found to correspond, their identity will be incontestibly verified, and their right to their respective tickets clearly established.

I pass over the clauses immediately subsequent, which are entirely new, and contain most excellent provisions for the more regular and speedy payment of the seamen's wages. Their propriety is so evident, and their utility so obvious, that it would be inexcusable in me to detain this assembly with any comment on their excellence. I will therefore proceed to the consideration of the twelfth clause, which empowers seamen abroad to remit any part of their wages to their wives, fathers, or mothers, on which I beg leave to offer some few observations.

This clause, Sir, does no less honour to the policy than to the humanity of the Honourable Gentlemen concerned in the promotion of this Bill. It grants the seamen the privilege of doing an act of affection, which it is unnatural to prevent, and impolitic not to facilitate. It is unnatural to refuse an indulgence of this kind to men, who are suffering the greatest hardships, and exposing their lives, in the service of their country, while their families are distressed at home for want of their assistance and support: it is impolitic, because such a cruel restriction tends to render married men averse to the service, and to discourage the unmarried from entering into a state, which is so essential to the order and welfare of society.

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But this clause, Sir, is intended to remove this hard restraint, and is planned with such extreme caution, as to prevent any frauds or abuses in the execution of it. Though it allows seamen to remit their wages home, yet it is provided that these remittances shall be made to their wives, fathers, or mothers only, each of whom, previous to their receiving such wages, are to produce certificates signed by the minister and churchwardens, or, in Scotland, by the minister and two elders of the parish, of their being the wife, father, or mother of such seaman. Which certificates, upon suspicion of fraud, are easily verified, or detected, by a reference to the proper parochial register.

As an effectual prevention of fraud, it is provided that these remittances shall not be liable to different claimants, each producing certificates of their relationship, but they are made due to such persons only, whose name and place of abode shall be inserted by the seamen in the pay-books of the ship, and who shall therein be acknowledged as his wife, father, or mother; to whom only a bill for such wages will be transmitted, and become payable, upon their producing the proper certificates.

The means provided by this Bill, Sir, are in every instance wisely adapted to the end proposed. The payment of the remittances is directed to be made in the most convenient manner, without expence, by bills transmitted from the Navy-office to the seamen's wives, fathers, or mothers, at their own habitations, and made payable without fee or reward, by a neighbouring publick officer, upon their producing certificates of their marriage or kindred, by which means the sale of such bills, and the intervention of usurious brokers, are absolutely prevented. In case of any failure in the transmission of any such bills, so that their payment shall not be duly demanded within six months of their date, they are to be returned and cancelled, and the sum contained in them is to become payable to the seamen.

Thus, Sir, this excellent clause has happily fixed on a method of providing for the most humane purposes, without fraud, delay, or expence. The extension of the indulgence, for the benefit of fathers and mothers, as well as wives, is highly wise and equitable: and it must prove an additional encouragement to unmarried seamen, who have the least filial affection, to be secure in the means of contributing towards the support of their aged parents.

The subsequent clause, Sir, is a proper supplement of the preceding one: by the former, seamen are empowered to make remittances,

remittances from abroad; by this they are enabled, upon receiving their wages at home, to remit such part as they chuse, to any person in Britain. According to the present regulations, upon receiving their wages at the Pay-office in London, or at any port where a naval commissioner resides, they are often at a loss for the proper means of remittance to their wives, or other persons, to whom they may be disposed to be just: for want of this opportunity, and not knowing where to deposit their money in security, it is generally wasted in scenes of riot. But by this clause, any seamen, upon the receipt of his money, will be able, without fee or reward, to execute any honest intention for the relief of his family or friend, or for the discharge of any just obligation.

It may be proper, Sir, to remark, that in this clause they are not restrained, as in the last, to make the remittance to their wives, fathers, and mothers; and the latitude here given appears highly reasonable, as they are supposed, in this clause, to be actually possessed of their wages, and therefore at full liberty to dispose of them, without restriction. Besides, though the relief of their wives and kindred should be the principal objects, yet they may be liable to debts, and other just obligations which they are bound to discharge.

The fifteenth clause, Sir, enforces the regular transmission of the pay-books, tickets, and muster-books, directed to be made by the Captains of his Majesty's ships, to the Commissioners of the Navy. Here it is necessary to observe, that no more is required of such Captains by this clause, than their instructions now enjoin them to perform: though, from a continued neglect, they may probably deem it hard to be obliged to a just performance of their duty. But a regular transmission of these books, &c. would be greatly for their own private advantage, since, for want of such punctuality, many errors arise, which are to be rectified out of their pay. Besides, in case any of his Majesty's ships should be destroyed, or taken by the enemy, the pay of the surviving crew, or, if none survive, the pay due to their representatives must be regulated by the muster-books transmitted to the Navy-Office; and in case they are wanting, claimants must lose their property. In few words, Sir, upon the regular transmission of these books and tickets, the whole pay of the navy, and the rights and happiness of a multitude of persons interested, do entirely depend.

The nineteenth clause, Sir, is an improvement of 1 Geo. II. and contains some prudent provisions for the prevention of frauds and abuses with respect to seamen's letters of attorney. Though, perhaps, many reasonable objections may be urged against the total abolition of these letters of attorney, yet they



ought undoubtedly to be restrained within as narrow limits as possible: and the directions in this Act for the payment of seamen's wages to themselves, together with the regular and speedy method proposed for such payments, will, in a great measure, make it unnecessary for them to take up money upon such letters.

There are other clauses in this Bill, Sir, wisely adapted to give encouragement to seamen, and consequently, to promote the service of the navy. Indeed the whole seems to be constructed with a judgment and circumspection, which does credit to those who framed it. The gentlemen, before whom I have the honor to speak, have heard it read, and, from their own remarks, will abundantly supply what is wanting in my imperfect observations. I have purposely confined myself to such clauses as are new, and, in my apprehension, most material: but I confess that I have not sagacity enough to start an objection to any part of the Bill. If, contrary to my expectation, any objections should arise, I flatter myself that I shall be able to demonstrate their invalidity, and to support every clause of the Bill now under consideration.

*The following are the principal arguments offered against the Bill, arranged in the form of a Speech.*

Notwithstanding, Sir, all that the Honourable Gentleman has just now advanced in favour of the Bill under consideration, notwithstanding he seems so confident that no valid objections can be urged against it, I shall nevertheless venture to oppose it: as I am thoroughly satisfied that it is rather calculated to advance private views and purposes, than to promote the grand point of public utility.

I dare not however, Sir, in imitation of his example, take upon me to assert that my arguments are unanswerable: such language, perhaps, might argue more presumption than judgment, and might justly be construed as an affront to this House. I would not be thought, Sir, to dictate to, or anticipate the determination of any Member here present. I do not bring a mind obstinately prepossessed in favour of its own sentiments; and however earnest I may appear in support of my own opinion, I am nevertheless open to conviction.

It must be confessed, Sir, the Bill under consideration bears a captivating title: it carries justice and humanity in its front, but misguided ambition, and an inordinate love of popularity, lurk beneath those specious appearances. I cannot help considering this pompous title, Sir, as a specimen of the florid talents of those, who are at present supposed to guide our affairs, and who attempt to amuse the publick with a vain parade of words,

words, at this critical conjuncture, which requires active resolutions, and solid counsels.

I am not ignorant, Sir, how unpopular every argument must be, in opposition to this Bill; but I have learned to disregard all popularity, which is not founded on a hearty and unfeigned zeal for the publick interest. I have lived to see patriots, who have received the thanks of their country, become at last the objects of publick detestation: I have seen the idols of popularity thrown down, and trod under the feet of the vulgar. I despise all fame and power, which is to be acquired by flattering the passions of the multitude, in contradiction to my own reason and conscience: and I hope that I entertain a juster sense of honor, than to trust my reputation to the giddy tide of popular applause.

I would not, however, Sir, be thought to pay no regard to the voice of people. The publick opinion, no doubt, merits our attention; and, when it appears to be well-grounded, it is unpardonable to treat it with neglect. But when little arts are used to influence their judgment; when their understandings are perverted by specious eloquence; when they are bewildered in the flowery fields of metaphor; when they are foolishly captivated with the daisies of rhetoric; when millions echo the fantastick notions of one man; when millions are prepared to espouse the chimerical projects of a vain-glorious schemer—then, Sir, I cannot forbear pitying the publick delusion; and then to disregard popular clamour, becomes a point of justice to the people,

We all know, Sir, by what steps some Ministers have measured their way to greatness. They have bowed to the people, with the same view that lovers kneel to their mistresses—to deceive them; they only kneel to rise: they sue with pliant humility; but, when they have obtained their desires, from humble suitors they become tyrannical masters. It is the common artifice of false patriots to use the people as a scaling-ladder to preferment; and, when they are firmly seated on the pinnacle of power, they spurn at the means of their promotion.

I would not however, Sir, by these reflexions, be understood to suspect any gentleman in the present Administration of dishonorable intentions. We may censure the means by which popularity is courted, without supposing the end to be criminal; if we only admit it to be vain, the effects will be sufficiently pernicious. When Ministerial measures are pursued to gratify personal vanity; when pompous declamation is loud in council, and out-tongues sober reason; when, to win popular applause, innovations are attempted, unattended with any

solid advantage—then, while the Minister is pursuing of phantoms, the nation may suffer irreparable injury.

Should a Minister, Sir, endeavour to establish himself under the sanction of democratick sway, be his motives ever so plausible, his administration cannot fail to be dangerous. The spirit of democracy is already too prevalent among us. There is not a subject debated in the Senate, but what is canvassed without doors with all the violence of animadversion. The national resolutions are, in an unbecoming manner, dictated by popular prejudice. The people are taught to harangue, as if speech-making was the business of the nation. They are seized with the vice of their admired patriot; they retail the fragments of his rhetoric; they collect the scattered tags of his antithesis; and worship the very puerilities of their favourite demagogue. This, Sir, was one ominous symptom of the decline of Athens; every one admired the accomplishments of an orator, while all forgot the duties of a citizen, and the state hastened to destruction.

I would not insinuate, Sir, that we are near this period of declension. Thank Heaven! the oratorical cacoethes is but a recent malady among us: but, I am sorry to observe, that it has already spread so wide, as to become almost epidemical. Great pains are taken, both in conversation and print, to work upon the passions of the publick, and eloquence is busy to persuade them that great things are intended, at the same time that nothing is meant.

I will be bold to say, Sir, that arts like these have been employed during the progress of the Bill under consideration. Before it became a theme of debate within doors, it was a subject of declamation without. The common news-papers recommended, nay directed the passing of it into a law—I might almost say, that they added menaces to their recommendations. Nevertheless, Sir, I will venture to affirm, that there is no new scheme proposed by this Bill, which the Admiralty now have not power to direct: and that it contains no practicable clauses, but what are already in use.

Notwithstanding the Honorable Gentleman, who spoke last, affected to decline the pathos, yet he has endeavoured to move our pity and compassion by a most lamentable representation of the seamen's sufferings. If the description is not exaggerated, they are indeed truly deplorable, and not to commiserate them, would be to renounce our claim to humanity.

But if the oppressions and hardships under which they are supposed to groan, are real, let us trace them to their sources. We may venture to say they are not natural, they are not constitutional hardships; they are not necessarily connected  
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with the nature of the service; they do not arise from the construction of the laws; they must, therefore, if real, be owing to the negligence of those who are entrusted with the superintendence of the naval department.

It is generally presumed, Sir, that the Lord High Admiral, or the Commissioners for executing that important office, have the entire care and management of the seamen employed in his Majesty's service: their allotment, their stations, and the frequency of their pay, have been hitherto understood to be under their peculiar direction.

Can we suppose, Sir, that gentlemen appointed to fill the Board of Admiralty, are destitute of humanity? Can they be so supine in office, so unsusceptible of tender sensations, as to hear the cries of the distressed seamen and their families, and not accelerate their relief? Is their not one advocate among so many Honorable Commissioners, to espouse the cause of the oppressed sailors? Impossible! they are men of distinguished rank, and pity ever dwells in noble minds. Had the distresses complained of been real, they would have provided for their redress; and it had not been left to the promoters of this Bill to court popular favour by pretending to rescue the injured seamen from the hands of oppression.

But I beg leave to contend, Sir, that these supposed distresses have being only from the Honorable Gentleman's invention and aggravation. It was necessary to aggrandize the patrons of this Bill, that the seamen should be represented in the most calamitous situation. But I beg the indulgence of this Assembly, while I view the present condition of the navy, and consider how far the intended regulations will contribute to its improvement, or answer the ends and purposes proposed by the Bill.

Permit me, Sir, to observe that the several clauses calculated for the encouragement of seamen, are more clearly and more briefly stated in the Acts of 4 Anne, and in those of 1 Geo. II. than in the Bill now before us.

The former Act provides for the immediate payment of men turned over from one ship to another, and directs tickets to be made out for men discharged as unserviceable. The latter Acts of Geo. II. pursue the whole plan of naval regulations, from the first raising the seamen to their dismissal from his Majesty's service.

These Acts, Sir, which are very compendious, are the basis on which the present naval system is founded; and experience has proved it to have been wisely instituted, and, in general, properly conducted.

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It is well known, Sir, that the arrears of seamen's wages are regularly and duly paid. The money granted by Parliament for the service of the navy is properly issued; and, notwithstanding any insinuations to the contrary, such part of it as is allotted for the payment of seamen's wages, is faithfully applied to those services.

The method prescribed by the Act of Geo. II. for paying the seamen two months wages in every six that shall be due to them, was complied with, till the practice was found prejudicial, not only to the service, but to the seamen themselves. Artful and designing men took advantage of the thoughtless seamen, and, by purchasing their two months pay at a very considerable and unreasonable discount, nourished their vices, and frustrated the good intention of a speedy payment.

Upon consideration of these circumstances, Sir, that part of the Act was remitted; and though the method in which it was directed to be done, made it necessary to forbear the execution of it, yet the intent was so laudable in itself, that it might have been revived and executed in a manner serviceable to the seamen, their wives and families. It is undoubtedly an object worthy of attention; and certainly those, in whose department it rests, might find a method of accomplishing this desirable end, without increasing the trouble of the commanders, or calling the aid of all the officers of the revenue to assist in the execution of their scheme. They, Sir, who understand their office, know the force of every Act which relates to it, and can best remove or guard against any difficulties or perplexities which may attend the execution of any new regulation.

Thus it appears, Sir, that the payment of two months wages in every six, has been discontinued solely out of regard to the seamen themselves. With respect to the payment of the residue of their wages, which by the Act is directed to be made within two months after the ship is laid up, the compliance with the Act in this particular is so notorious, that an assertion to the contrary becomes a matter of astonishment.

The same Act, Sir, directs the payment of twelve months wages, when eighteen are due: and the constant usage has, in this point, ever been conformable to the directions of the Act.

According to the present practice, volunteers are entitled to wages from the day of their entry with any authorized officer of the fleet; they are allowed conduct-money, carriage of their clothes, and an advance of two months pay, and are never turned over to serve in a worse quality than they served in their former ships.

In pursuance of the present system likewise, Sir, inferior officers, or seamen dying, have tickets made out of their time of service,

service, which are immediately paid: and when the whole company of a ship is removed, they are paid their wages to the day of their removal. This last, Sir, I must observe, is an Admiralty, not a legislative, indulgence.

It is also provided, in order to relieve the unthinking seamen from usurious extortioners, and to prevent any unfair advantages being taken of their necessities, that all bargains and bills of sale for pay due to any seaman, are void; neither is any letter of attorney for receiving such wages or pay good or valid, unless it is made revocable.

These laws and regulations, Sir, are the foundation of the present marine system. A material defect, however, was quickly perceived in this system, and was no sooner discovered than it was redressed. The Acts in being had not provided for the payment of a seaman's wages, who should by accident be left sick on shore after the ship he belonged to should be failed on a foreign voyage, without leaving either ticket or books behind; in which case the invalid and incurable must have returned home penniless, or have starved when discharged the hospital.

This inconvenience, Sir, was remedied by that necessary interposing power which the Lords of the Admiralty have usually exercised over this useful body of people committed to their care. They no sooner perceived the defect than their humanity applied the remedy; and those objects of compassion who have lost their health or limbs in the service, are in all circumstances immediately paid the utmost farthing of their due.

Having thus, Sir, considered the state and practice of the navy under its present establishment with regard to the payment of seamen's wages, and their encouragements upon entering in the service; I will be bold to prefer the present system to the innovations proposed by the new Bill now in agitation.

Notwithstanding, Sir, all that has been so pathetically urged by the Honorable Gentleman who spoke last, with respect to the seamen's sufferings, and the cruelty of withholding their pay, yet it is obvious to every one conversant in naval affairs, that these complaints are altogether unjust and groundless.

That the seamen in his Majesty's navy are well clothed, well fed, and well paid, are truths not to be controverted. The Contractors of the Victualling can testify that the best prices are given for their provision: their shops, which are bought at the best hand, are retailed to them at very near the same rate: and that they are well paid, there are recent instances in the ships now gone abroad, one not having three weeks pay due, and others scarce six months. We may be bold to say, that no instances can be produced of a squadron of ships going abroad  
without

without clearing the greatest part of the wages due, unless in cases of the greatest emergency. The attention of the Admiralty on such occasions has been very conspicuous; they have not wanted a spur to do their duty, or shewn themselves destitute of a tender compassionate regard for our gallant seamen.

In considering the views of the Bill now depending, I can scarce avoid confining my attention to the prefatory introduction: for on that, indeed, the promoters of this Bill seem to rest its success, more than on any arguments they advance in its support. We are to believe the representations of the seamen's sufferings, through whose sides those honourable personages are to be wounded, whose daily study it is to encourage and protect them; we are to believe that the source of the seamen's distresses hath been the slow and uncertain payment of their wages; and that upon their return home from foreign voyages, there is no fixed time for the payment of their demands.

To these assertions we are to yield belief, and in this manner we are to be prepared to receive a Bill calculated to redress imaginary grievances.

The case of our brave seamen would indeed be truly lamentable, if this representation was just. His memory indeed would be great and glorious, who should exert himself for their relief, and rescue the unhappy sufferers from such intolerable oppression. But, as I have before clearly demonstrated, the salutary laws now in being, have been constantly, regularly, and punctually put in execution, so far as the service would permit: agreeably to those laws the seamen have, from time to time, received a part of their growing wages; and so often as the ship they have served in has been laid up, the whole has been constantly cleared. These are facts which few will deny, and none can disprove.

I will now point out the grand objects to which this Bill is directed. Among these, Sir, "the appropriation of all the money granted for naval services towards the discharge of seamen's wages," stands foremost.

Here, Sir, permit me to observe that the inconvenience and prejudice which the Government would sustain by subjecting the naval grants, in the first place, to the payment of seamen's wages, would be immediately felt by a great discount upon bills made out for stores and provisions for the use of the navy.

The debt of the navy would not only be increased by interest due on bills, but the price would be enhanced on all kinds of stores, as in former wars, in proportion to the discount on such bills. By the regular discharge of navy bills in course of payment, the discount has been kept low, the price of stores  
has

has been proportionable, and free from additional discounts of five or six *per cent.* which the non-payment of bills would, in process of time, naturally and inevitably create.

Four pounds *per* month for every seaman employed in his Majesty's service does not defray the expence of wear and tear, provisions, ordnance, wages, and other unavoidable expences. This, Sir, is proved by the deficiencies every year, in consequence of which a debt is annually incurred; notwithstanding some part or proportion of the money allotted out of the grants for wages, is, as the Honorable Gentleman took notice, employed towards reducing that part of it which carries interest: and without such allotment, the credit of the navy would be still worse affected, the contract prices on all stores considerably increased, and an interest created, which, under the present method of payment has, and may yet be kept under.

But this is not all, Sir. Should this new appropriating clause take place, a considerable part of the money allotted to the head of seamen's wages, must be unemployed, and remain in the Treasurer's hands for his private benefit, while our fleets remain in foreign parts, and while the course of the navy would be running on at an interest, and a very considerable discount. Thus the publick would be injured, and the Treasurer alone would be benefited: and we hope the promoters of this Bill, however strong their connections may be, will not be so partial as to consult his interest in prejudice of that of the nation.

It does not become us, Sir, to disregard expence, to use no parsimony in the naval department, but to sacrifice every thing for the sake of one favourite object. This will evidently be the case, should we consent to the appropriation of the naval supplies granted by Parliament, and direct the application of them towards the discharge of seamen's wages in the manner proposed by this Bill.

I beg leave in the next place, Sir, to consider the fifth clause in the bill, which directs the Captains of his Majesty's ships, whether at home or in any part of his Majesty's dominions, to make out five complete pay-books for every six months the ship shall have been in pay, except the last six months, and to transmit the same to the Commissioners of the Navy.

By this clause, Sir, it is intended that the wages due upon such books shall be discharged as fast as the service will permit the ships to come into port.

When the nature and disposition of our seamen shall be altered; when they shall appear to be better and happier with money in their pockets; when they shall discover the least sense



of œconomy, then we may admit the necessity of changing the present method of payment.

Those who have a thorough knowledge of our maritime people, who are witnesses to their thoughtless inconsiderate conduct in every circumstance of life, must acknowledge that the absurdity of too frequent payments is too glaring to be justified.

I see many in this Assembly who have been long conversant in naval affairs, and many who have commanded in the navy with great reputation: I appeal to them, and let them declare how foolishly our seamen squander away their money, and how unruly they are when their pockets are full. Nay, I may venture to appeal to the whole world for proof of their profuseness; it is so notorious, that the extravagance of a sailor is constantly used to illustrate any glaring act of profusion.

I would not be thought, Sir, to aggravate the foibles and misconduct of this useful body of men; but their disposition is such, that too frequent payments would inevitably excite them to mutiny, disorder, and licentiousness, which with them are the natural concomitants of affluence.

How much better would it be to detain their wages till they grew considerable, that after their tedious toils and labours are over, they may have a sum to receive, on which they may live a while with their families in peace and content, without being obliged immediately to return to their watery element, to encounter fresh hardships and fatigue.

But I beg leave to contend, Sir, that such quick payments would not only be attended with bad consequences to the seamen themselves, but would likewise prove of evil tendency to his Majesty's service in general.

It is a fact universally established, that no seaman can work with money in his pocket: and it is for this reason that all payments to them are postponed till a ship, upon her arrival in port to be cleaned, is cleared of her stores, docked, and again refitted. An attempt, Sir, to vary this practice, would be fruitless, and endanger the unmanning of a well-disciplined ship. No power can curb a seaman flushed with money; his intemperance is predominant, and he will run all hazards to indulge his passions. It is evident, Sir, from calculation, that there are twenty deserters who have less than a year's pay due to them, for one who has above a year owing to him. We may judge from hence, Sir, in what a condition our navy must be, if this scheme for prompt payment takes place: it will remain undisciplined and unmanned.

Why therefore, Sir, should we endanger the unmanning of the fleet? Why should we indulge the vices and extravagances of

of the seamen, and afford them the means of destroying their constitutions? Why should we put the Government to an extraordinary expence for prompt payment to those who are so well fed, and so comfortably clothed? Rather let us abide by the practice which has hitherto been so successfully pursued. Their growing wages is a deposit which detains them, it is a bank which they do not forget, which keeps them cheerfully together, and makes their toilsome life pass away in comfort.

With regard to the expedient for "enabling seamen abroad to empower their wives, fathers, or mothers, to receive part of their wages in their absence," I am far from thinking such a provision either improper or impracticable. It is an encouragement which seamen deserve, and it would be doing them a real benefit. But the method of doing it should be attentively considered; for hasty and ill-concerted plans will be attended with grievous and endless perplexities.

It is publickly known, that this point has been seriously considered, and that a well-digested plan for this purpose has been reported to the proper officers, though the promoters of this Bill have taken no notice of any such matter being in agitation.

I must confess, Sir, that the method proposed by this Bill appears to me highly exceptionable. It is well known, that it is a frequent practice for seamen to pass through the ceremony of marriage with two or three different women, who may be all living at the same time, and able to produce regular certificates of their marriages.

The answer to this objection, Sir, has been anticipated by the Honorable Gentleman who spoke last but one, and observed, that "the seamen's wages remitted home will not be liable to be claimed by different persons producing certificates of their marriage, but by such one person only, whose name and place of abode shall be inserted by him as his wife, in the pay-books of the ship."

But I beg leave to observe, Sir, that, according to the laws of the land, the first wife is the only lawful wife: and I would ask the Honorable Gentleman, whether a seaman, under the circumstances of polygamy, may not be influenced to give the preference to a subsequent wife, and thereby establish a partial in prejudice of a legal right.

With respect to the clause, Sir, "for enabling the seamen at the time of receiving their wages at home, to remit such part thereof as they shall think proper, to their wives and families." It seems to be altogether needless and superfluous. This purpose may be answered with equal ease and safety, without retarding the payment of the ship, which may be un-

mooring for the sea at the time of the payment, without interfering with any publick offices, or even the offices of the revenue in distant countries.

To facilitate such remittances, Sir, let such part of the seaman's wages, as he shall chuse, be paid in a promissory note, signed by the Treaſurer of the Navy, or his deputy, for any small sums, from one to five pounds, and be made payable to order. In this note the seaman may direct the name to be inserted, to whom he intends payment to be made; and being remitted agreeably to his order, his wife, relation, or friend will find a ready acceptance of the bill by any of the trading people, or others, who want remittances to London. In this case there will be no official embarrassments: the Treaſurer of the Navy-Office in London will receive and pay it with the same readiness with which bankers discharge their notes.

Having thus, Sir, examined the advantages and disadvantages which may attend the innovations proposed by this Bill, I flatter myself to have fully demonstrated that, of the more material clauses it contains, some are totally superfluous, and others dangerous to be put in execution.

By what motives the promoters of this Bill were influenced, I will not take upon me to determine. My own motives for opposing it arise from a thorough conviction of its utter inexpediency, and dangerous tendency. I am altogether independent and unprejudiced: I am attached to no Minister, nor bigotted to any measures.

To judge of the promoters with candour, I will suppose the Bill to be only calculated for vain parade, to catch popular applause. But should the ostentatious project receive the sanction of this Assembly, it may be attended with mischiefs to the nation, which its patrons probably do not foresee: for which reason I concur with the Honorable Gentleman who spoke last, and am against its being passed into a law.

*The Reply.*

It affords matter, Sir, of equal surprize and concern, to perceive that the most profitable schemes and disinterested plans are doomed to struggle against predetermined opposition and malevolent interpretation.

The Honorable Gentlemen, Sir, who have just now spoken against the Bill under present consideration, have been pleased to throw out insinuations against the promoters of it, and to stigmatize them as acting upon the motives of vain popularity.

It is needless for me to comment on such ungenerous suggestions. But I beg leave to observe, that reflections of this kind are not only indecent, but the matter of them is altogether

gether foreign to the consideration of this Assembly. We are not met to debate about men, but about measures. We are not to determine the merit of the projectors, but to examine the utility of the plan they recommend. The motives which influence their recommendation, are totally immaterial in the present debate; and upon this occasion, Sir, sense and decency enjoin us to avoid all personal disquisitions.

Nevertheless, Sir, if we should admit them to have been actuated by the love of popularity, yet the motive, so far from being discommendable, may be deemed laudable in the highest degree. The strongest incentive to noble deeds is the desire of publick esteem: the man who is indifferent about publick applause, will never be zealous for the publick welfare.

That popularity, indeed, which is courted by means of corruption, by flattering the passions, and nourishing the vices of mankind, is base and detestable. But even malice itself cannot reproach the promoters of this Bill with such corrupt and abominable expedients. Their opponents are therefore reduced to the wretched necessity of insinuating, that it is rather calculated to gratify personal vanity, than to promote the national welfare. An assertion as groundless as it is invidious: and I make no doubt but this Assembly will be convinced that the system recommended by the Bill in agitation, is not vain or chimerical, but evidently profitable and expedient.

One of the gentlemen has been pleased to boast of his independence, and to intimate that he is attached to no Minister. This intimation, Sir, might have been spared. I do not know that all Ministerial attachments are culpable. Even the worst of Ministers, who endeavour to maintain themselves in power by the help of venal supporters, are obliged to employ some men of integrity and abilities.

For my own part, Sir, I am not ashamed to acknowledge, that I am attached to the present Ministry. Their measures hitherto have been such as merit the most grateful approbation and steady support: and while they pursue the same laudable conduct, I shall always be forward to testify my attachment. I am convinced that no man can be justly deemed independent, but he who is guided by the reason and expedience of things, abstracted from all personal and party prejudices.

With regard to the objections, Sir, urged against the Bill under consideration, they are such as no one could have foreseen or expected; and such, I am confident, as the gentlemen would have blushed to adopt, had not some violent prepossession misguided their judgment.

Among other things it has been objected, Sir, that "the prompt payment of seamen's wages will supply them with the ready

ready means of debauchery, and by encouraging their natural intemperance, render them turbulent and disobedient, to the detriment of the service."

If we allow this argument to be just and reasonable, it may be extended so far as to deprive the poor seamen of all their wages and prize-money. But though the project of starving men into order and regularity, may be received as good doctrine in a monastery, yet we hope that it will never be adopted in the British navy. Such expedients may mortify men's bodies, but will never reform their manners.

Besides, Sir, the speedy and punctual payment of the seamen's wages is really the most effectual method of preserving and improving the discipline of the navy. The certainty of receiving their pay in due time, will alleviate their grievous toils, and banish that restless anxiety which now renders them uneasy in the service, impatient of controul, and desperate in disobedience.

The argument against such payment, Sir, might with equal propriety be extended to men in every station of life, whose property affords them the means of committing excesses. But it is certainly more just and reasonable to withhold their incomes from the indolent and luxurious than from the poor seamen, who earn their wages in the midst of toil and danger.

Permit me to say, Sir, that an attempt to regulate men's appetites by detaining their property, is altogether repugnant to the natural principles of justice and equity: it is inflicting an arbitrary punishment upon them, and treating the innocent as offenders. It is not only highly cruel and unjust, Sir, but it is extremely absurd and ridiculous: for however expedient some may think it to detain their pay, yet no one will venture to say that it is just utterly to deprive them of their wages; and whenever they receive the pittance, the predominant appetites will be indulged.

But I am inclined to believe, Sir, that the acts of riot and intemperance charged upon our sailors, are greatly exaggerated. A little awkward dancing and sportive frolick, which make the chief of their amusements, surely do not merit severe animadversion. Their pastimes are rather noisy than intemperate: and men who pass the greatest part of their lives in labour and confinement, ought certainly to be indulged in the uninterrupted enjoyment of their favourite recreations, during the short time of liberty they obtain. To debar them from their darling amusements by detaining their pay, would be the greatest cruelty and discouragement to the service.

There is no doubt, however, but that seamen, as well as mankind in general, are too much disposed to pleasure and profusion.

fusion. But the Bill before us is so far from furnishing them with a fresh supply to gratify their appetites, that it will rather tend to lessen their excesses, by withdrawing from them the means of extravagance by their own consent and voluntary act.

This will be effected by the clauses enabling seamen abroad to remit their wages to their wives and families at home, and affording seamen at home, upon receiving their pay, an immediate opportunity of remittance to any person in Britain. By these provisions, the principles of duty, compassion, gratitude, and justice to their families and friends will be encouraged; and the Bill, so far from increasing the riot and debauchery of seamen, will produce the contrary effect, by affording them the means of applying their pay to just and worthy purposes, which might otherwise be dissipated in folly and extravagance.

It has been further observed, Sir, that "the keeping the seamen's wages in arrear is a necessary tie for retaining them in the service; and that if we relinquish this deposit, by the prompt payment of their wages, the service will be detrimented by frequent desertions."

Here it is observable, Sir, that this argument doth not deny the cruelty of withholding their wages, but justifies it as a necessary cruelty. But I beg leave to observe, that whatever effect it may be supposed to have in retaining men in the service after they are entered, it may raise the greatest abhorrence against their entering at all.

Besides, Sir, until they have continued some time in the service, and are liable to forfeit a considerable sum by desertion, the practice of detaining their wages can have no effect whatever. For while they are young in the service, and have little to forfeit, the sense of the ill-usage they are to suffer by the detention of their wages, will incite them, at any hazard, to desertion. Of this propensity we have the strongest confirmation from the authentick accounts we have lately received of the numerous desertions out of the ships at home only.

There can be no doubt, Sir, but that the regular and punctual payment of seamen's wages, and the privilege of making remittances to their wives at home, or, upon being paid at home, to any other persons they think proper, will render the service far more grateful than at present, to such seamen as are endowed with the least portion of humanity, or feel the least concern for their wives and families.

The establishment of such privileges, Sir, will likewise be highly agreeable to the families and friends of all seamen whatever: and if we consider how much men are under the influence

influence of those with whom they are connected, it will manifestly appear, that the Bill proposed would remove the principal obstructions and aversions, which, at present, operate against their entering into his Majesty's service.

It is notorious, Sir, that a great number of good seamen have lately refused to enter into his Majesty's navy, because of the uncertainty of being paid their wages; and the dread, as they have alledged, of exposing their families, in the mean time, to beggary and famine. It has likewise appeared, Sir, in several instances, that five or six prizes have been taken by the crews of particular ships, and several payments of prize-money having been distributed to them in the course of a year, yet scarce any men were lost by desertion out of such ships, though they were all permitted to go on shore, in companies of forty or fifty at a time.

We may with good reason, Sir, conclude from hence, that the keeping the seamen's wages in arrear, prevents a great many of the most sober and serviceable men from entering into the Royal navy; and that the speedy payment of their wages, with other indulgences, instead of weakening any ties, which at present restrain them, would create among them a general fondness for the service, and be the most effectual means of preventing desertion.

But as experience, Sir, out-weighs speculation, this point will be best determined by authentick accounts lately taken for the whole navy. In these accounts, Sir, the desertion from his Majesty's ships for two years under quick payment of seamen's wages has been compared with the desertion for two similar years under slow payment. From whence it is evident, notwithstanding what the Gentleman who spoke last has been pleased to advance to the contrary, that in the *duennium* of quick payment, when the debt for seamen's wages was small, desertion was at the rate of two out of two hundred and thirty-six men *per* month: whereas in the *duennium* of slow payment, it was at the rate of two out of one hundred and eighty-seven men. That is, Sir, as many deserted out of a small number under slow payment, as did out of a greater number under quick payment. This sufficiently demonstrates, that the keeping a large arrear of their wages unpaid, is far from being the proper means of retaining seamen in the service.

It has been invidiously insinuated, Sir, that, "in consequence of the provisions contained in the proposed Bill, an increased profit will redound to the Treasurer of the Navy, by causing more money to circulate through his hands, under the speedier payment of seamen's wages."

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It must give uncommon pain, Sir, to feeling minds, to find their most worthy acts ascribed to ungenerous motives. They, however, who are conversant with the course of naval business, know that the arrear of seamen's wages will not be brought altogether into the hands of the Treasurer of the Navy, to be lodged with him till demands for it shall arise: on the contrary, it is to be received and paid by him in such portions, and at such times, as shall be appointed by the Commissioners of the Navy; which appointment, according to the established rule, will not be made until equal sums are ordered by the Admiralty to be immediately put in a regular course of payment. Besides, Sir, the great scope and tendency of the Bill proposed, instead of aiming to detain money in the hands of the Treasurer of the Navy, is calculated to facilitate its speedier issue, by various new provisions, and the removal of many present obstacles: and it is demonstrable, that a Treasurer of the Navy would be able to keep much larger sums in his hands, if such was his intention, under the regulations now subsisting, than he could possibly retain by the proposed Bill under present consideration.

With regard to the general arguments, advanced against the Bill, they are so weak, that they stand self-confuted; and the general objections to it are so immaterial, that they do not require discussion. The gentlemen have been pleased to say, that it contains no provisions but what the Lords of the Admiralty have at present power to direct. But I beg leave to observe, that it is the business of legislators not to trust to what men may do, but to direct what they must do; not to leave them to their own inclinations, but to prescribe their duties.

As a free people, Sir, sound policy directs us to leave as little discretionary power as possible in the hands of the officers of Government.—No man can place higher confidence in those who at present superintend the naval department, or regard them with greater respect than myself; but as their power is no more permanent than their lives, I should think it madness to trust the business of the navy to their well-known discretion and integrity.

One of the gentlemen has confessed, that the provision in the Act of Geo. II. for the payment of two months in six, has been remitted, as prejudicial to the service. It is needless to examine, Sir, how far such payment may be prejudicial; but I will be bold to affirm, that they who are directed to execute a law, are not to judge whether the law is expedient or not. We do not allow of a dispensing power in the Crown, and let us never suffer it to be exercised by a subject. Practices of this sort are of themselves sufficient to determine us in favour of the



present Bill, by which the duties of the officers in the naval department are prudently regulated, and particularly ascertained. In few words, Sir, the Bill seems to be wisely contrived to promote the happiness of the seamen, the benefit of the service, and the interest of the nation in general.

[These arguments were answered by some gentlemen in the Opposition, whose arguments were too immaterial to be repeated : and the reasons urged in support of the Bill were so cogent and conclusive, that it passed by a considerable majority.]

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In the third volume of this work, page 400, mention is made of a Bill having been proposed to explain and amend the *Habeas Corpus Act*, together with a state of the extraordinary case and circumstances which gave rise to the Bill. Since the printing of that volume, the Editor has been favoured with a copy of the proposed Bill ; and of the substance of the arguments which were offered for and against the Bill.

*Draft of a Bill to explain and amend the Habeas Corpus Act, which was proposed but not passed. [The first title of the Bill was—A Bill for the further Security of the Subjects Liberty.]*

WHEREAS the writ of *Habeas Corpus* hath in all times been deemed to be the most effectual security for the liberty of the subject, against every kind of wrongful imprisonment or restraint : And whereas, any delay in the awarding or returning of such writ may be attended with the most fatal consequences to the person under restraint, and by reason of such delay the relief intended to be given may come too late for such person to be discharged from his restraint, or to receive any benefit from such writ :

Be it therefore enacted, &c.

That the several provisions, which by an Act, made in the 31st year of King Charles the Second, intitled, “ An Act for the better securing the Liberty of the Subject, and for Prevention of Imprisonment beyond the Seas,” are made for the awarding of writs of *Habeas Corpus* in cases of commitment, or detainer by legal process, shall in like manner extend to all cases where any person shall be confined or restrained of his liberty, under any colour or pretence whatsoever ; although not committed or detained for any criminal or supposed criminal matter by legal process. And that upon oath being made before the person or persons empowered by the said Act to award such writs in the vacation time of any unlawful confinement or restraint, an *Habeas Corpus*, directed to the person or persons so confining or restraining the party as aforesaid, shall be

be awarded and granted in the same manner as is directed, and under the same penalties as are provided by the said Act in the case of persons so committed or detained for any criminal, or supposed criminal matter. And that the person or persons before whom the party so confined or restrained shall be brought by virtue of any *Habeas Corpus* granted in the vacation times under the authority of this Act, shall, within two days after the return made, either discharge, or bail, or remand the party so brought as the case shall require, and as to justice shall appear.

And be it further enacted, by the authority aforesaid, That whensoever any writ of *Habeas Corpus* granted on the behalf of any party so confined or restrained without a commitment for any criminal, or supposed criminal matter, shall be served upon the person so confining or restraining such party, or shall be left at the place where such party shall be so confined or restrained, the person so confining or restraining such party shall make return of such writ, and bring, or cause to be brought, the body or bodies, according to the command thereof, within the respective times limited, and under the provisions prescribed by the said Act to sheriffs, and other officers, in case of commitment or detainer for criminal or supposed criminal matters, by legal process; and every such person neglecting, or refusing so to make return of such writs, or to bring, or cause to be brought, the body or bodies, according to the command thereof, within the times respectively limited, and under the provisions prescribed by the said Act to sheriffs and other officers, shall, for the first offence, forfeit to the party grieved, the sum of 100*l.* and for the second offence the sum of 200*l.*

And be it further enacted, by the authority aforesaid, That the several penalties inflicted by this Act, shall be recovered by the party grieved, his executors or administrators, against the offender, his executors or administrators, in like manner as the penalties inflicted by the said Act are to be recovered.

And be it further enacted, by the authority aforesaid, That if any action, plaint, suit, or information, shall be commenced or prosecuted against the person or persons, for what he or they shall do in pursuance or execution of this Act, the same shall be commenced within                      months after the offence committed: and such person or persons, so sued in any court whatsoever, shall and may plead the general issue, not guilty; and upon any issue joined, may give this Act and the special matter in evidence; and if the plaintiff or prosecutor shall become nonsuit, or forbear further prosecution, or suffer a discontinuance, or if a verdict pass against him, the defendant shall

recover costs, for which they shall have the like remedy as in any case where costs by the law are given to defendants.

*Arguments for the Bill.*

However liberty may have been abused by the treachery of pretended patriots on one hand, and the licentiousness of an unruly multitude on the other, we ought not therefore to grow cool in our concern for this inestimable blessing, which is, in some degree, the common end of every social institution.

There is not a civilized nation upon earth, which has not some kind of provision to secure the person and estate of the subject; at least from the violence and encroachments of others of equal rank with himself. Where the Government is most despotick, slaves are not subject to the oppression of any but their own masters.

But under a free Government, like ours, the laws in defence of liberty are various and extensive. In our constitution, such laws do not only bind the common and lower class of people, but every degree and order in the state: so that no man's liberty can be legally restrained any farther than the law directs, for the welfare and preservation of the whole community.

In construction of law, we are all commons alike, and equally entitled to protection. Such as do not inherit wealth, are nevertheless heirs to freedom; and they who have no other property, have a property in their liberty: indeed such, above all others, may be thought to have the best title to liberty, since it is the only valuable enjoyment to which they can lay claim.

It is essential to liberty, that no man shall be obliged to act or suffer, but in conformity to, and by the direction of known laws: and indeed all states, of what nature or origin soever, have necessarily this one fundamental principle, that the persons and properties of its subjects are to be free from any wrongful or illegal encroachment of any other subject.

Yet, notwithstanding this universally acknowledged principle, and though our ancestors have established the wisest and most noble institutions for our security, yet we often find ourselves reduced to the necessity of renewing our claim, and of struggling for the recovery of our rights and privileges from the hands of usurpation.

This necessity, Sir, recurs in the present occasion. The case of one unhappy man, out of many, who was torn by violence from his family, friends, and occupation, and perplexed with doubts and difficulties on his application for a *Habeas Corpus*, has been the means of bringing before us the Bill now under consideration.

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The person, Sir, thus violently deprived of his liberty, was seized in order to be forced into military service as a foot soldier; under colour of a late Act of Parliament for the speedy and effectual recruiting of his Majesty's forces: by which certain magistrates are authorized and empowered, within their several limits, to raise and levy such able-bodied men, as did not follow any lawful calling, or had not some other lawful and sufficient support, to serve his Majesty, &c. and to commit them to close custody till properly disposed of; the men so impressed being made liable to all the penalties of martial law in case of desertion.

This Act, Sir, nevertheless contained a special proviso, that every person having any vote in any county, city, borough, town, port, or place, should not be liable to any such compulsion.

It will be needless to comment on the propriety of this Act, which did not pass in silence, and without opposition: a protest of twenty Peers is still extant, who expressed their dissent to it. It will be sufficient for my present purpose to observe, that the unhappy person under confinement was supposed not to be within the description of this Act, though prosecuted with all the rigour imaginable.

Being without other remedy, he applied for his *Habeas Corpus*, as a writ of right to which every subject was entitled. Upon this application, Sir, a doubt arose, concerning the construction of the statute of 31 Charles II. commonly called the *Habeas Corpus Act*.

That statute made provision only for the relief of the King's subjects committed for criminal or supposed criminal matters: and as the prisoner, as well as others confined by virtue of the Press Act, was free from every criminal imputation, it was contended that he could derive no benefit from it. So that his innocence, which, according to reason and nature, should plead in his behalf, became a ground for doubting whether he was entitled to that relief in law, on which supposed criminals might insist.

In discussing this doubt, Sir, it will be necessary to consider, in the first place, the extent of the subject's original claim to liberty; and in the next, how far this claim is destroyed or abridged by any law now in being.

To proceed with more order and perspicuity, it will be necessary to recur to *Magna Charta*, the first written law which contains a solemn recognition and confirmation of those rights and privileges established by the fundamental or common law of the land.

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The most material clause relating to the liberty of the subject, is that which follows: "No freeman shall be taken or imprisoned, or disseized of his freehold, or liberties, or free customs, or be outlawed, or exiled, or any other ways destroyed; nor will we pass upon him, or condemn him, but by the lawful judgment of his peers (that is, his equals), or by the law of the land."

The words of this clause, Sir, seem to be very explicit. Nevertheless, by forced construction and misrepresentation, they were perverted in aid of tyranny and usurpation: which put the subject under the necessity of obtaining a further explanation and confirmation of their rights.

The advocates for tyranny, in the reign of Charles I. contended that the law of the land included a new kind of law of their own creation, which they called State Law; and they argued, that by virtue of this law the King and his Council had a right to imprison the subject, without specifying any cause of commitment.

Under sanction of this diabolical doctrine, Sir, the most daring practices were committed. It is well known, that five gentlemen, being under imprisonment for not contributing their quota to the loan, having brought their *Habeas Corpus* in the King's Bench, were severally remanded, the court doubting whether they were bailable, or not.

These lawless and unconstitutional proceedings, Sir, raised that spirit in the House of Commons, to which we probably owe the preservation of our inestimable rights, and occasioned them to come to the following bold and noble resolutions, which ought never to be forgotten.

"That no freeman ought to be committed or restrained in prison by the command of the King, or Privy Council, or by any other, unless some cause of the commitment, detainer, or restraint be expressed, for which, by law, he ought to be committed, detained, or restrained.

"That the writ of *Habeas Corpus* may not be denied, but ought to be granted to every man who is committed or detained in prison, or otherwise restrained, though by command of the King, the Privy Council, or any other.

"That if any freeman be committed or detained in prison, or otherwise restrained, by the command of the King, the Privy Council, or any other, no cause of such commitment, detainer, or restraint being expressed, for which by law he ought to be committed, detained, or restrained, and that the same be returned upon *Habeas Corpus* granted to the said party, then he ought to be delivered or bailed."

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These resolutions, Sir, with many others, formed the famous Petition of Right, and were the subjects of many curious debates between the Lords and Commons.

In defence of the King's arbitrary proceedings, it was argued by some of Lords and the King's Council, that in criminal cases he might commit without process; and that it was hard he should not have the power of a common constable, who might commit without process. They affirmed, that the King was not obliged to express the cause of imprisonment, lest some matter of state should by such means be disclosed, which might alarm confederates, and afford them an opportunity of escaping the hands of justice.

They insisted farther, Sir, that it was a manifest contradiction to say that a party imprisoned ought to be delivered or bailed: for that bailing signified a kind of imprisonment still continued; delivery, a total discharge: and they contended, that bailing was an act of grace and favour in a court of justice, which might be refused.

To these cobweb arguments, Sir, the Commons opposed this solid reply. They observed, that by process was understood the whole proceedings of the law, which included the power of constables and all inferior magistrates. As to the danger of disclosing state secrets, and affording confederates an opportunity of escaping, by specifying the cause of imprisonment, they very justly took notice, that such dangers might be avoided by specifying a general cause, such as treason, suspicion of treason, or felony, without expressing the particulars of the offence; which general suggestion, said they, can give no greater light to a confederate, than the very apprehension and imprisonment of the party will convey, without any expression whatever.

As to bailing, Sir, they remarked, that where a commitment was by command of the King, or the Privy Council, it had been usual for the Judges, out of respect, not to set the party free immediately, but to bail him to answer what shall be objected against him on the King's behalf: but that if any other inferior officer commit a man without specifying the cause, they instantly discharge him.

The brave Commons, Sir, further observed, that though bailing is an act of grace and favour in the court in cases of felony and other crimes; that yet, where no cause of imprisonment is returned, but the command of the King, there is no way of discharging such persons by trial, or by any other means but by *Habeas Corpus*; and if they should be remanded by the court, they might be perpetually imprisoned, without any remedy at all; and consequently, a man who had committed

mitted no offence, would be in a more deplorable situation than an atrocious offender : as the latter would be discharged by a trial of course, and the former might remain without any hopes of a discharge at all.

Here, Sir, give me leave to apply this argument of the Commons to the present case ; and to observe, that a man taken into custody by virtue of the Press Act, will, if excluded the benefit of the *Habeas Corpus* Act, be in a more lamentable condition than the vilest criminal. Every malefactor is certain of a trial in due course of law, whereby he may be discharged ; but an impressed man, under the exclusion before mentioned, may be imprisoned for life.

Every illegal confinement of a man against his will, is in reason and law an imprisonment. Perhaps a military imprisonment, Sir, is of all others the most severe and dangerous. It is strange and melancholy to reflect, that in a country, we may say the only country, which has liberty for its principle, a man shall be torn from his friends, family, and occupation, transported into a foreign country, perhaps exiled for life, and exposed to all kinds of dangers and hardships. It is strange, I say, Sir, that a law should exist in any country so opposite to the avowed principle of its constitution : but it is stranger still, that a man, who perhaps is able to prove that he is not an object doomed by that law to such severe service, should nevertheless have an opportunity of making good his exemption.

But I perceive, Sir, that I am anticipating my arguments, and that my digression violates that order which perspicuity requires. The reasons which I have above stated, as offered by the Commons, were too cogent to be invalidated by the sophistry of the King's advocates, and themselves were too resolute to be frightened at the sound of prerogative.

It is almost needless to observe, that by their wisdom and resolution they prevailed on the King to give his Royal assent to this famous petition ; which, by that means, obtained the form and effect of an Act of Parliament.

The subject's right to liberty, Sir, was thus once more fully established ; and the meaning of *Magna Charta*, was clearly explained and settled in the course of this contest. The writ of *Habeas Corpus* was allowed to be a writ of right : and it was determined, that upon the return of the *Habeas Corpus*, the party ought to be discharged, unless some cause of commitment or detainer was expressed, for which, by law, he ought to be committed or restrained ; or bailed, where it was doubtful whether a legal cause of commitment or detainer existed or not.

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Upon this footing, Sir, the law rested for some time. The abettors of usurpation could no longer controvert the subject's claim to liberty, but they endeavoured to evade it. They could not dispute the right, but they contrived to delay the remedy. The party, Sir, to whom these writs of *Habeas Corpus* were directed, were not bound to take notice of the first, or second, but were punishable only in case of disobedience to the third. To these affected delays, artifices were added: prisoners were removed from one gaol to another, so that it was difficult to discover them: in short, every method was devised to render the prosecution of the *Habeas Corpus*, as tedious and uncertain as possible.

Our progenitors however did not remain long under the weight of this grievous oppression. Though these delays and artifices were practised in an æra which was very unfavourable to liberty, yet they had the address to obtain the passing of the statute commonly called the *Habeas Corpus* Act, which is the strongest fortress of our liberty.

The title of this Act, Sir, is very observable: it is entitled, "An Act for the better securing the Liberty of the Subject." The preamble likewise is not less remarkable. "Whereas (says the Act) great delays have been made by sheriffs, gaolers, and other officers, to whose custody any of the King's subjects have been committed for criminal or supposed criminal matters, in making returns of writs of *Habeas Corpus* to them directed, by standing out an *Alias* or *Plures*, or sometimes more, and by other shifts, &c. contrary to their duty and the known laws of the land, whereby many of the King's subjects have been, and hereafter may be long detained in prison; for the prevention thereof, and for the more speedy relief of all persons imprisoned for any such criminal or supposed criminal matters, be it enacted," &c.

After this recital, Sir, the statute provides, "That whensoever any person or persons should bring any *Habeas Corpus*, directed to any sheriff, gaoler, minister, or other person whomsoever, for any person in his or their custody, and the said writ should be so served on such officer, or left at the gaol, such officer. &c. should (under the penalty of 100*l.* for the first offence, and 200*l.* and incapacity to hold his office, for the second) within three days after service thereof, unless the commitment were for treason or felony plainly and specially expressed in the warrant of commitment, upon payment or tender of the charges of bringing the prisoner up, to be ascertained by the judge or court who awarded the writ, and upon security given for the party's going back, and not escaping, if remanded, make return of such writ, and bring the



body of the party so committed or restrained, before the Lord Chancellor, &c. or such other person before whom the said writ was made returnable, according to the command thereof; and likewise then certify the causes of his detainer and imprisonment, unless the place of confinement were above twenty miles distant from such court, &c. but if above twenty miles distant, and within one hundred, then within ten days; and if above one hundred miles, then within twenty days, and not longer."

And the statute, Sir, further provides, "That if any person so standing committed or detained in vacation time, other than persons convict in execution, or any one in his behalf, complained to the Lord Chancellor, or Lord Keeper, or any one of his Majesty's Justices, either of the one Bench or the other, or the Barons of the Exchequer, of the degree of the coif, the said Lord Chancellor, &c. or any of them (upon view of the copy of the warrant of commitment or detainer, or otherwise upon oath made, that such copy was denied to be given by the person in whose custody the prisoner was detained) are authorized and required, under the penalty of 500*l.* upon request made in writing by such person, or any one on his behalf, attested and subscribed by two witnesses, who were present at the delivery of the same, to award a *Habeas Corpus* under the seal of the said court whereof he should be then one of the Judges, to be directed to the officer, &c. in whose custody the person shall be, returnable immediately before the Lord Chancellor, or such justice, &c. who should discharge him from his imprisonment, taking his recognizance for his appearance, unless he should appear to be committed for matters not bailable by law."

Now, Sir, it is evident, that this Act was made in affirmance of the subject's liberty, and, as the title imports, for its better security. It was not intended to abridge or extend any prior right, but to give a more speedy remedy for the recovery of a subsisting and acknowledged right, whenever it should chance to be invaded.

This, therefore, Sir, as a remedial Act, ought to be construed liberally; so as to afford relief in every case which falls within the mischief intended to be redressed. It is true, that the Act, considered literally, confines the remedy to persons confined for criminal, or supposed criminal matters; but it is clear, that these words were only used to distinguish the the *Habeas Corpus* intended to be granted by this Act, from the *Habeas Corpus* issuing in civil cases with regard to persons under confinement for debt.

If the construction of this Act, Sir, is narrowed to its literal sense,

sense, it will not only be repugnant to the principles of law, which establish the rule, that all remedial Acts shall be construed beneficially, but it will militate against the dictates of the law of nature and right reason. It would be very strange, Sir, that the Act should afford relief to persons under confinement for criminal offences, and at the same time deny that relief to such as shall be confined without being charged with any offence at all. A law, Sir, which should place innocence in a worse situation than guilt, would shock the understanding even of a savage. But happily the principles of our law do not admit of such barbarous interpretation: it is laid down as a fundamental maxim by one of the greatest sages that ever adorned the bench of justice, that Acts of Parliament must be construed in such a manner, that no innocent man may receive damage by a literal construction: and unless this maxim governs in the present case, numbers of innocent men taken under the Press Act, though particularly exempted by the words of that Act, will be deprived of the means of procuring a legal discharge, and will thereby suffer irreparable damage.

Besides, Sir, in construing Acts of Parliament, we should consider how the law stood before the making of the Act. Before the making of the Act, all persons whatever, not committed for treason or felony, &c. had a right to their *Habeas Corpus*; and this Act, which, as appears by the title, was made for the better security of the subject's liberty, could not mean to lessen the efficacy of a right existing by common law; but, as the preamble states, was only calculated to give a more speedy remedy for the recovery of those rights which were thereby affirmed.

Having thus, Sir, examined how far the objects under consideration have a right to speedy relief from the words of the *Habeas Corpus* Act, expounded according to the legal rules of construction, and considered as relative to the common law of the land, and antecedent statutes; permit me now to take a view of the Press Act, and see whether the subject's right to relief against wrongful imprisonment or confinement is thereby defeated or abridged.

This Act, Sir, impowers certain magistrates to levy men, with particular exceptions to such as follow lawful callings, or have sufficient support, as likewise to voters. Now this frame of the Act is so far from abridging any prior right which the subject had to his *Habeas Corpus*, that it rather confirms it by implication. For to what purpose are those express savings and exceptions of the general right to liberty to particular persons,

persons, such as voters, &c. unless such persons have a remedy, and the most speedy one too, of making good their exemption.

It is well known, Sir, that unless they have benefit of the *Habeas Corpus* Act, they must be entirely remediless. For if they are left to shew their exemption, according to the dilatory method of proceeding before that Act, they may be deprived of all relief: they may be transported abroad: as the service is indefinite, they may be banished for life: nay, they may be cut off with the sword, or perish by various modes of destruction. Dreadful calamity! that men who are free by the fundamental laws of the land, who are complimented with freedom by the exemption of a particular Act, should, nevertheless, be inhumanly deprived of a right to liberty, so solemnly acknowledged: for want of right, and want of remedy, is in effect the same thing.

The reason, Sir, of extending the benefit of the *Habeas Corpus* Act to impressed persons, is so obvious, that it would be unpardonable in me to dwell any longer on the expedience of such extension: they seem entitled to it both by the legal and equitable construction of that statute: but as persons of distinguished abilities, and untainted integrity, have entertained doubts concerning the interpretation of it, it is just that they should be removed, and that the statute should be explained by publick authority, so as to give the intended relief, and direct its operation, conformable to its title, for the better security of the subject's liberty.

There is no doubt, Sir, but that every Englishman has a right to the writ of *Habeas Corpus* in all cases of confinement or restraint. Even in those times when the most unjustifiable encroachments were made on the liberty of the subject, this doctrine was never denied.

In the 29th year of King Charles II.'s reign, Sir, in the very memorable cause of the Lord Shaftesbury, when he and two other Lords were committed to the Tower, by the House of Peers, for contempt of that House, and had obtained a writ of *Habeas Corpus*; the cause of detainer was argued at the bar by Serjeant Maynard, and the King's Attorney and Solicitor General, in support of the return; but not one of them disputed the Earl's right to the writ: on the contrary, Winnington, the Solicitor General, admitted in express terms, "That the Court was obliged in justice to grant the *Habeas Corpus*."

As, therefore, there can be no doubt concerning the subject's right to this writ at common law, why should he not have an opportunity of obtaining the benefit it provides, in the most speedy and effectual manner, agreeably to the *Habeas Corpus*

Act

Act of Charles II. ? Why should he be left to pursue his remedy in the dilatory and ineffectual method in use before the making of that statute ?

It is true, Sir, that at the passing of that statute the practice of pressing was happily unknown. But as the Press Act has created a legal cause of imprisonment, which did not exist before, and as it contains exceptions (though perhaps partial ones, with respect to some favourite objects), it is highly just and reasonable, that all persons excepted should, in this case particularly, have the most speedy opportunity of pleading their claim to liberty; or the exception in their favour is absurd and nugatory, and they may be illegally doomed to the loss of freedom, and perhaps of life. They are most certainly within the mischief intended to be redressed by that Act, and therefore have a right to the speedy relief it provides.

In the Great Charter of our liberties, Sir, we find these words, “ We will not deny or defer to any man justice or right.” In this, and indeed in most instances, to defer justice is in fact to deny it. To do justice is an indispensable duty; the obligation to do it speedily, is not less binding. To permit a moment’s oppression, is unpardonable injustice.

In short, Sir, unless the benefit of the *Habeas Corpus* Act is extended to the objects in question, the restriction will amount to a repeal of *Magna Charta*, in the most essential point now remaining with regard to the subject’s liberty. The Press Act is of itself sufficiently unfavourable to freedom. It contains odious distinctions between voters and non-voters. Distinctions unknown to the Great Charter, that solemn recognition of the fundamental laws of the land—that law, which, since the abolition of villainage, declares us all freemen alike.

Let us not, therefore, Sir, extend the hardships of the Press Act, by an inhuman restriction of a remedial Act. Let the conservators of the public liberty remember the opposition which was made to the passing of that grievous statute, and recollect the protest now extant against it. Let them consider that freedom may be undermined, as well as stormed; and let them be as cautious to guard against the silent progress of subtle encroachments, as zealous to oppose the bold attempts of violent usurpation.

For my own part, Sir, I think that, under the present state of government, there is more to be apprehended from artifice than force: the laws, therefore in favour of liberty, cannot, in my opinion, be too plain and positive: and I hope that the Bill now before us will pass with general unanimity.

*Arguments*

*Arguments against the Bill.*

It is with the highest reluctance, Sir, that I rise upon this occasion, as I am thoroughly apprized how ungrateful an attempt it must be, to argue in opposition to a Bill, which, as the title at least imports, is calculated for the further security of the subject's liberty.

Since this Bill has been depending, Sir, we have heard nothing but the echo of liberty from all quarters. But while we follow the sound, let us take care we do not lose the substance.

I am as anxious for the preservation of this inestimable blessing as any Member here present ; but I am persuaded that the sanguine patrons of this Bill are mistaken in their views, and that the passing it into a law, will rather weaken than add strength to publick freedom. In support of this opinion, I shall briefly consider the subject on the principles of the law of right reason, on the grounds of the common law, and on the footing of the Act of Queen Anne.

By the law of reason, Sir, I cannot conceive a right to liberty in individuals, repugnant to the good of the whole community. Such a particular right, when dangerous or destructive to the general freedom, would oppose the end of all political institutions.

Legislative policy, Sir, takes in its comprehensive view the good of society, not of individuals : it declares no one free, merely as a man, but as a citizen. As men, we are in a state of nature ; as citizens, we are connected in society, and become members of one commonwealth. Therefore, all the rights we claim, and all the duties we owe, are in our political capacity as citizens, and must be considered as relative to the good of the whole.

Viewed in this light, Sir, it is evident that no man whatever can support a claim to liberty inconsistent with the publick good, however strong his title may be which he derives from the law ; yet whenever the common welfare requires it, he must resign that title, or the ruling powers may legally deprive him of it.

Thus, Sir, every citizen's claim to liberty seems to stand on the principles of right reason ; and I will be bold to insist, that the grounds of the common law rest on the same foundation.

It is well known, Sir, that originally the subjects of this kingdom had not an equal title to freedom. Many were in a state of absolute bondage ; and the benefit of the clause in

*Magna*

*Magna Charta*, quoted by the Gentleman who spoke last, is expressly confined to freemen only.

But it has been said, that, since the abolition of villainage, we are all freemen alike. This proposition I shall not controvert; but I beg leave to dispute the inferences which have been drawn from it.

It may be necessary however to observe, that villainage did not necessarily imply bondage. Though the tenure was servile, yet the person of the tenant was often free: and many freemen held under the custom of certain manors, by villain services, who were not properly villains. I mention this, Sir, to rectify a vulgar mistake, and to shew, that the state of the tenant did not necessarily follow the nature of the tenure: so that many who held in villainage, might nevertheless be entitled to the benefit of *Magna Charta*, which speaks of freemen only.

In determining the rights of such freemen, so far as they relate to the present question, it may be proper to consider the ancient state of property. The general state of property was anciently divided into allodial and feudal.

The feudal tenants were bound, by the nature of their tenure, to do military service, by attending their lords personally, or by substitute, in the wars. The allodial or free tenures, though they were not bound by their tenures to do military service, were nevertheless obliged, by tax or assessment, to contribute towards the defence of the kingdom.

This general obligation, Sir, upon all men, is altogether agreeable to the rules of the strictest justice. Men enter into society in order to be secure and protected in their persons and property: and it is but just that they should be ready upon all occasions, in some shape or other, to act in defence of that society, from whence they derive such security and protection. No man can in conscience desire to be protected by the whole, unless he in his turn is willing to exert himself for the good of the whole.

Here permit me to observe, Sir, that the fundamental law of the land does, in this respect, exactly correspond with the law of reason, which declares that no man can support a claim to liberty in prejudice of the publick good; but that he ought to resign his right, or may justly be deprived of it, whenever the common safety demands it.

This being the case, Sir, upon the footing of the law of reason, and the fundamental laws of the kingdom; allow me to consider how far the Act of Queen Anne, commonly called the Press Act, deviates from, or opposes, either of these established principles.

Here,

Here, Sir, give me leave to insist, that the Act of Queen Anne is strictly founded on those rational and legal principles, which I have just now stated to this Assembly. By that Act, for the better recruiting his Majesty's land forces and marines, "Justices of the Peace and Commissioners of the Land Tax are empowered to meet, and any three of them, to raise and levy all able-bodied, idle, and disorderly persons, who cannot, upon examination, prove themselves to exercise and industriously follow some lawful trade or employment, or to have substance sufficient for their support and maintenance, to serve his Majesty as soldiers; with an express exemption of every one who has a vote for Member of Parliament."

Now, Sir, what new hardship does this Act impose upon the subject? We find, that by the law of reason, and the common law of the land, every man is bound to defend the state, either in his person, or by his purse. The Act therefore obliges no one to do more, than, by the fundamentals of the constitution, he is compelled to perform.

None, Sir, by this Act, are to be pressed into military service, but "such as cannot, upon examination, prove themselves to exercise and industriously follow some lawful trade or employment, or to have substance sufficient for their support and maintenance." Men under this description are not in a capacity to defend the state by means of their property, and therefore they are reasonably and lawfully bound to serve their country in their persons.

The Act, Sir, seems to be framed with extraordinary tenderness. The objects of it are only idle and disorderly persons, who do not follow some lawful occupation. Certainly it is rather a benefit than a grievance to the nation to press such men into military service, who cannot fail to be dangerous to civil society. The celebrated Machiavel tells us, that it is good policy to purge the commonwealth of such pernicious members.

As to the express exemption, Sir, in favour of voters, I am surprised to hear gentlemen, who stand up as advocates for liberty, arraign this as an invidious distinction. By the law of the land, every man who has possessions to a certain value, has a right to give his vote for the election of Members of Parliament. He is looked upon in the eye of the law as a man of property; and is therefore entrusted with the privilege of choosing his own representative, for the preservation and security of such property.

Had the Act indiscriminately subjected these men to be pressed as soldiers, it might indeed have been considered as arbitrary and oppressive. It would have been in fact an open violation

violation of the subjects birthright. For they who, in construction of law, are deemed men of property, by being pressed into military service, might lose their right of appointing Members of Parliament to guard their property; and would consequently be deprived of that share in the government which the constitution allots them, by means of their representatives.

But they who have no property, have no injury done them. They have not, either in law or reason, any share in the administration of the government: and the Act therefore does not deprive them of any privilege.

The restriction which it lays upon their liberty, by obliging them to serve as soldiers, is no restraint. It is what they were before liable to by the law of the land; and the Act only points out a particular mode of enforcing their service, under particular circumstances.

As to what the Gentleman, who spoke last, was pleased to observe, that "they who have no other property, have the strongest property in their liberty;" I admit his doctrine, but I beg leave to say, that he is mistaken in his application of it.

"Liberty," according to his own definition, and I allow it to be a just one, "consists in not being obliged to do or suffer any thing, but under the direction of known laws." Now the objects of the Press Act suffer no violation of their liberty; since, as I observed before, it compels them to no other duty whatever, than such as they were reasonably and legally bound to perform before the making of that Act.

To say that a person wrongfully taken, contrary to the exceptions of the press Act, has no opportunity of pleading his exemption, is to misinterpret and misrepresent the express words of the Act. All persons taken under the authority of that Act, are to be examined before the Justices of the Peace and Commissioners of the Land Tax, or any three of them; before whom, such as are illegally pressed, may prove that they are not within the description of the Act.

It is plain from the penning of this Act, that the Legislature intended, that such examination should be laid before the Justices of the Peace and Commissioners of the Land Tax, and no others: and, indeed, if appeals were suffered to the superior courts of law, the end of the Act would be entirely frustrated.

In criminal cases, Sir, it is just to grant a *Habeas Corpus*, that the party may be admitted to bail till the issue of the cause is determined. No one is injured by this indulgence. But in the case of an impressed man, the issue, or point in dispute, is personal service; and if this is to be ascertained in a tedious



course of litigation, by appeal to the superior courts, the occasion for which his service is required, may be lost before the issue is determined.

I will suppose an instance, Sir, which has lately, and probably will often happen: I will suppose that men are wanted immediately to go upon an expedition, which must owe its success to dispatch in the execution. In this case, if every one who is pressed has a right to appeal to the King's Bench, to decide whether or not he is a proper object within the meaning of the Act, the occasion for which he was pressed may, by such delay, be irrecoverably lost, to the irreparable prejudice of the state, and the decision become totally immaterial.

It therefore shewed great wisdom in the Legislature to leave this point to be determined in a summary way, before the Justices and the Commissioners. And I am of opinion, that it would be of ill consequence to the nation, to take this jurisdiction out of their hands. Such is the state of the law. I will now beg leave, Sir, to argue against passing the Bill, upon the footing of particular inconveniences of a more private nature, which will attend it.

It is highly expedient, Sir, in many cases, more especially for the sake of family government, that persons in subordinate capacities should be subject to reasonable confinement, by the authority of those to whom they are under immediate subjection, as wives to their husbands, children to their parents, and servants to their masters.

If the provisions of the *Habeas Corpus* Act are indiscriminately extended to all cases whatever, it may happen that a wife, under just restraint lest she should violate the honour of her family, may, by means of this writ, procure her enlargement, and throw herself into the arms of a profligate adulterer.

A daughter likewise, Sir, under the same circumstances of restraint, only to preserve her from vice and infamy, may, by procuring this writ, fatally procure her liberty, and sacrifice herself in marriage to some worthless suitor, or prostitute her person to feast the appetite of some abandoned gallant.

A refractory and idle apprentice, Sir, who may be also under moderate confinement, lest he should desert the duties of his service, may, by suing out this *Habeas Corpus*, be set at large, and put in a capacity to run away from his master, and totally to forsake his calling, to which he was bound for his future support.

In all these cases, Sir, and many others of the like nature, it is most advisable to leave the granting of the *Habeas Corpus* to the

the discretion of the court. Should it issue in the manner proposed by the Bill under present consideration, it might encourage applications with no other view than to trouble and harass the parties to whom it may be directed, and put them to a needless and unjust expence.

Besides, Sir, inconveniences will not only arise to private persons, but the publick in general may become sufferers by the proposed extension of the *Habeas Corpus* Act.

I will suppose, Sir, that one, on behalf of a person on board an infected ship performing quarantine, should apply for a *Habeas Corpus* under the provisions of this Act, to procure his friend's enlargement. In such case, the Act being positive, I know not what could indemnify the party, in case of disobedience, in not bringing him up; and if he should be brought up, the noxious consequence is too obvious to be explained.

I must confess, Sir, that in whatever light I view this Bill, I do not see any foundation for passing it. I do not think that the particular instance now before us, of a man supposed to be illegally impressed, contrary to the description of the Press Act, has sufficient weight to determine the merits of the matter now under debate.

I could, in this respect, aid the gentlemen on the other side of the question, by citing a more remarkable instance in the person of one formerly impressed as a soldier, on account of the meanness of his apparel, who afterwards proved an ornament to the seat of judgment, as Lord Chief Justice of England.

But these rare and uncommon instances, which may happen once in a century, are not a sufficient warrant for making an alteration in the law, which would be productive of so many inconveniences, both of a publick and a private nature.

If they who are entrusted with the execution of the Recruiting Act, should now and then take persons not liable to be impressed within the description of that Act, yet the persons so taken will be generally found to have been rambling at an improper hour, or to have been in some disorderly and suspicious circumstances: they are, for the most part, such as are dragged out of gaming-houses, or brothels, or apprehended in some midnight riot.

I would not insinuate, however, that because they are taken in these circumstances, that therefore they are compellable to serve as soldiers. However, some in particular may be proper objects for such service; yet if they are not described as such in the Act, they have an unquestionable right to exemption.

But in such case, Sir, they are not without remedy: for if they are not within the description of the Act, they may obtain their discharge upon examination before the Justices of the

Peace and Commissioners of the Land Tax, who are the proper judges constituted by the Legislature.

For these reasons, Sir, I am entirely against passing the Bill.

*The Reply.*

I must acknowledge, Sir, that the gentlemen who have spoken in opposition to the Bill, have displayed a great deal of learning and ingenuity. But I cannot forbear observing, that the pains they have taken to embellish their arguments, betrays the weakness of their cause; for a profusion of ornament is rather calculated to disguise, than illustrate truth.

However happy they may have been in shewing their own talents to advantage, they have by no means been fortunate in exhibiting a true state of the matter in question. They have set out in error, and all their specious reasonings, and profound subtleties, have served only to draw them a greater distance from the real objects of the present enquiry.

The gentlemen have entered into a great deal of abstruse and ancient learning, with regard to the subject's original claim to liberty at common law: they have talked much of the ancient state of property, and told us, that it was formerly divided into feudal and allodial; and that in both these tenures the tenants were obliged to contribute towards the defence of the state, either in their persons, or by their purse.

They have been pleased to add likewise, Sir, that this obligation at common law, is agreeable to, and conformable with the law of right reason, which declares that every man ought to be compelled to act for the defence of that society from which he receives protection and security.

All these pompous propositions, Sir, I may safely admit, without any prejudice to the cause I endeavour to support. For I hope to make it appear, that the inferences which the gentlemen have drawn from them, are in no degree whatever applicable to the point under consideration.

Pardon me the vanity of observing, Sir, that I have taken some pains, as well as the gentlemen, to study matters of antiquity. As they have thought proper to have recourse to feudal learning, it will be necessary for me likewise to recur to that ancient system of policy: and I shall draw the materials of my argument from the same fountain, though I shall give a different course to the streams of knowledge.

These gentlemen have said truly, that the feudal tenants were originally bound to serve in the wars, either in person, or by substitute. But they have not thought proper to take notice under what circumstances such service was obligatory, or to inform us to what limits it was restrained, or to what extent of time it was confined. As the gentlemen have declined

clined such explanations, I beg leave, so far I am able, to supply the omissions, and to consider the original obligations to military service.

Here it will be necessary for me to observe, that in William the Norman's time, the distinction between feudal and allodial tenants was, in most respects, taken away, and all tenures became feudal. Nevertheless, the distinction, as to some purposes, may be said to have remained; for though all tenures were then of a feudal nature, yet some were held by uncertain, others by certain services.

The uncertain services were performed by the tenant's attending his lord in the wars, either in person or by substitute; and this attendance was confined to a certain number of days, never exceeding forty, sometimes twenty, or ten, according to the quantity of his estate. The certain services consisted of a certain sum of money set upon the tenant, in proportion to his estate, in lieu of military duty: which may be considered in the nature of the assessments upon the allodial tenants.

It appears therefore, Sir, that anciently all military services, whether by tenure or assessment, were limited in point of time, and were not indefinite as in the case of men taken under the *Press Act*.

But this is not all. They were not bound at that time to serve but in case of a war; and by an *Act of Edward III.* it was provided, "That no man should be distrained or urged, against his will, to go out of his county." Now a state of war in those days, was not determined by the King's proclamation, or by making an inroad into France, or by any foreign campaign whatever; but by the sudden coming of new and strange enemies into the kingdom; in which case the courts of justice were shut up, and when they were open it was deemed a time of peace.

It is evident from hence, Sir, that the subject could formerly be compellable to act in the defensive only. This shews the weakness of the gentlemen's arguments, and proves them to be no ways applicable to the point in question. They have said truly, that, by the ancient law of the land, and by the law of right reason, every man was bound to act for the defence of the State from which he derives protection: but I have shewn that no one was anciently bound to act, but in case of an actual invasion, and then only for a limited time.

Now it cannot be pretended, that the men taken under the *Press Act* are within this predicament. They are taken, according to the ancient definition, in time of full peace, when the courts of justice are open, and every thing quiet in the kingdom; so that as to them, the case does not exist, from  
the

the gentleman's own reasoning, wherein the state may lawfully demand their service, or forcibly deprive them of their liberty.

Besides, Sir, impressed men may be forced out of their country; they may be sent out of the kingdom; nay out of Europe. They are liable to serve likewise for an indefinite time; instead of being limited to forty days, their service may continue for as many years; so that upon the whole, every thing that the gentleman has said with regard to the law of reason, and the ancient law of the land, is totally foreign to the present consideration. •

Indeed the question at present under debate, is not concerning the legality of pressing men in general. Though impressed men were formerly volunteers; and were said to be impressed, because, as the word imports, they received advance-money, in consideration of their being always ready for service; yet the Press Act having declared it lawful to force particular objects into the service, it does not become us to dispute the legality of the practice. The sole question now, therefore, is, whether the persons within the exceptions of that Act, have not a right to the most speedy remedy for the recovery of their liberty, when wrongfully restrained.

The gentlemen have been pleased to say, that such as are wrongfully taken may obtain their discharge upon examination before the Justices of the Peace and Commissioners of the Land Tax: and they insist, that the Legislature intended to give them a summary jurisdiction without appeal.

But they are unhappily mistaken, both in point of law and fact. Every limited power does in itself imply an appeal to some superior judicatory; and it is against the fundamental principles of our law to delegate a power without appeal in the first instance. Now the power of the Commissioners is limited, not discretional: and if they exceed their authority by taking persons excepted in the Act, such persons are without remedy, if they have not the benefit of an appeal: for, in that case, the authors of injustice would be the sole judges in their own cause.

It will not be disputed but that several, not within the description of the Act, have been impressed, such as voters, journeymen, and others, having sufficient for their support: and if they could have obtained a discharge from their illegal confinement in a summary way before the Justices and Commissioners, they need not have been at the great trouble and expence of suing out writs of *Habeas Corpus*.

It is manifest, however, that the Legislature did not intend to give any such summary jurisdiction. It is a maxim in law, that an Act without negative words, shall not repeal the com-

mon law, or any precedent Act. Now the *Præis* Act, Sir, has no negative words, which defeat or abridge the right of appeal which the subject claims at common law, or on the footing of any prior statute. There can be no doubt, therefore, that the persons in question have a right to their *Habeas Corpus* at common law; and no valid reasons have yet been urged, or can, I presume, be offered to shew why they should not be entitled to it in the speedy manner as prescribed by the *Habeas Corpus* Act.

It is true, that the gentlemen's fertile imaginations have supposed a case, where an expedition may be retarded, and the state receive irreparable injury, while persons impressed are supporting their claim to exemption in a course of tedious litigation upon a *Habeas Corpus*. But this objection, however subtle, is by no means solid; for the real objects of the Act, that is, "idle and disorderly persons, who have not sufficient for their support," will not be able to bear the expence of suing a *Habeas Corpus*; neither will persons in such a mean and indigent condition, find it possible to get security for their not escaping (if remanded) as required by the *Habeas Corpus* Act.

And they have thought proper to enumerate many terrible inconveniences which they apprehend will follow the free issuing the writ of *Habeas Corpus*. Wives, they say, under reasonable confinement, for the sake of family government, may be set at large, and cast themselves into the arms of an adulterer: daughters, they observe, under the same circumstances, may obtain their liberty, and throw themselves away in marriage, or fall victims to prostitution; apprentices, likewise, they tell us, may gain their freedom, and run away from their masters.

To be sure, Sir, these would be dreadful accidents! but, in the name of common sense, am I, as a member of the publick, to be deprived of my right to liberty, because my neighbour may chance to have a fallacious wife, a rampant daughter, or an unruly apprentice? Suppose the writ of *Habeas Corpus* should now and then be issued in frivolous cases, and where family government is not carried beyond the bounds of justice and discretion; I say, suppose it should sometimes be subject to this abuse, is not every remedial process in all, even in civil cases, liable to the like, if not much greater abuse? And was it ever held a sufficient reason against granting a general power or right of redress, that the exercise of that right might in particular cases be abused, and be accidentally productive of an inconvenience to individuals?

But, in fact, Sir, these horrid inconveniences can never arise; and they exist only in the gentlemen's terrified imaginations:

nations : for should the benefit of the *Habeas Corpus* be extended in the manner proposed by the Bill, yet wives, daughters, and apprentices, or any others claiming the benefit of it, will not be set at large to pursue their own corrupt inclinations, but must give security that they will return, in case they are remanded.

As to the supposition, that the penalty of the Act may be incurred by disobeying a writ directed for bringing up a person infected out of a ship performing quarantine, or the infection propagated by obeying it, it is too jocular to require serious refutation ; for all access to such ship, in order to the service of the writ, is impracticable.

In few words, Sir, unless subjects, restrained of their liberty, have the benefit of the *Habeas Corpus* Act, all provisions of the law in their favour are nugatory and void ; they remain without that speedy relief to which every freeman is entitled ; and have no redress for the injury done them by illegal confinement, but by action of false imprisonment, which in some cases will not lie. It cannot be brought by a wife against her husband ; and in the case of an impressed man, he may be knocked in the head before he can prosecute it. Indeed, in most cases, the poverty or subjection of the parties confined, in comparison with the wealth or power of the persons by whom they are confined, renders it impracticable or imprudent to commence this action, which, at last, can only procure damages, and not a release from confinement.

Did no other reasons influence my judgment, I should think these sufficient, Sir, to justify my concurrence with the friends of the Bill : and I agree with them that the *Habeas Corpus* Act should be extended to every commitment or restraint of liberty whatever, but in those cases which they have properly excepted.

This extension, Sir, seems absolutely necessary to secure us against the tyranny of our fellow subjects, which is, of all others, most to be apprehended : for the mild system of government pursued since the Revolution, affords less appearance of any infringement of liberty, by the Crown, or any superior judicatory, than by private persons, and subordinate jurisdictions. I therefore freely give my assent to the Bill.

Notwithstanding the arguments urged in support of this Bill, it was nevertheless rejected by a great majority.

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